

THE TIMES

No. 66,476

THURSDAY APRIL 1 1999

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EVERY
WEEKDAY

FREE BOOKS FOR SCHOOLS taken page 28 Plus 24 pages of **APPOINTMENTS**



Hundreds of ethnic Albanians streaming towards the border crossing of Blace near Skopje yesterday after fleeing the Yugoslav province of Kosovo. As Nato airstrikes continue, thousands more are heading for Macedonia, Albania and Montenegro

Nato warns Milosevic he has no hiding place

By MICHAEL EVANS,
DEFENCE EDITOR,
AND CHARLES BREMNER
IN BRUSSELS

PRESIDENT MILOSEVIC has been warned that all his military forces throughout Yugoslavia are now vulnerable to Nato air attacks.

The decision to expand the target area for airstrikes and to increase their tempo was confirmed yesterday by General Wesley Clark, Nato's Supreme Allied Commander in Europe.

George Robertson, the Defence Secretary, said: "No where in the whole Federal Republic of Yugoslavia can he [Mr Milosevic] expect to be immune from the attacks on the military machine. We will not rule anything in or out if it is related to the war machine of Milosevic."

The warning came after Western leaders had unanimously rejected the offer made by the Yugoslav leader to begin pulling back his forces from Kosovo in return for an

end to Nato bombing. British officials said they saw little chance of negotiating with Mr Milosevic, following further reports of Serb troops and special police forcing thousands of ethnic Albanians out of their homes. Pristina, the capital of Kosovo, was fast becoming a ghost city yesterday as tens of thousands sought sanctuary in Albania.

There were also grim warnings from United Nations world food programme officials that the flood of refugees

in Albania could starve unless emergency supplies were sent to the country soon.

In Brussels, Jamie Shea, the Nato spokesman, said that the Serbs were intensifying their "identity elimination" of the ethnic Albanians by destroying archives. "Property deeds, marriage licences, birth certificates, financial and other records are being systematically destroyed," he said.

"This attempt to rewrite history reminds me of 1934, which I used to believe was fic-

tion but now seems to be happening in reality."

German ministers talked yesterday for the first time about the existence of Yugoslav "concentration camps" in Kosovo. Rudolf Scharping, the German Defence Minister, said the evidence of such camps came from refugees flowing over the borders and from intercepted military communications.

On Nato's expanded targeting programme, the Nato spokesman said: "No facility,

no unit that is being used to plan, conceive, direct or carry out the Yugoslav campaign against the Kosovans is going to be a sanctuary."

Diplomats said it was likely that missiles and bombs could be aimed at the Interior Ministry and Defence Ministry in Belgrade, and possibly the Socialist Party headquarters.

After a week of attacks, Nato said that 30 Yugoslav aircraft had been destroyed.

Alain Richard, the French Defence Minister, announced

that France was also increasing the number of aircraft available for the next phase of the air campaign. Six Mirage jets are to be added to the 14 based at Istrana in Italy, where France also has six Jaguars.

Following Nato's rejection of Tuesday's peace mission to Belgrade by Yevgeni Primakov, the Russian Prime Minister, Moscow announced that it had asked Turkey to allow part of the Black Sea Fleet to pass through the Bosphorus and the Dardanelles into the Mediterranean.

Igor Sergeyev, the Russian Defence Minister, said he had asked for seven ships to sail through the straits to monitor the crisis in Kosovo. However, last night Turkey said it had received a request for one reconnaissance ship to pass through the Bosphorus and had given its approval, as was required under the 1936 Montreux Convention. Washington said it was not "overly concerned" about the Russian move.

March, they said. I ran for it

FROM JANINE DI GIOVANNI
IN LIVADHEG, KOSOVO

IT HAPPENED so quickly. I was sitting in my French colleagues' jeep waiting to drive down the mountain. We were the only journalists there when a jeep of angry Yugoslav army soldiers suddenly surrounded us. They pushed my colleague into the snow and aimed their Kalashnikovs at him. He screamed "no" and then

they kicked and beat him. "March," they shouted at us, dragging me from the jeep.

Once out of sight we started to run and jumped in an empty truck that had been carrying refugees but we were stopped by a Serb army jeep who ordered us back up the mountain. Once they saw our passports, a Brit and two Frenchmen, they grew even more angry. "Mirage," they screamed. "Clinton. Nato. bombing Belgrade." They then took all our gear and

when they found a snapshot of my colleagues working with UN troops they grew even more angry. They began firing and they ordered us into our car.

I felt for the first time that I might not make it out. Then they ordered us into our car and made us follow them down the other side of the mountain. Suddenly stopped. They gave us back our cameras and kissed me on the cheek. "Italiana," they said, "never come back here."



"I'd like to get away at Easter if we know of somewhere safe to go"

Lawrence judge rejects criticism

BY MAGNUS LINKLATER AND RICHARD FORD

THE author of the report into the Stephen Lawrence investigation, who found that there was institutional racism in the Metropolitan Police, today denies that he was biased or hijacked by his advisers.

Sir William Macpherson of Cluny, who came in for a barrage of criticism over the report, defends all 70 of the recommendations he made and backs the drive by Sir Paul Condon, the Commissioner, to reform the force.

In his first interview since the report's publication, Sir William says there are pockets of racism in the police's lower ranks but is confident that Sir Paul can achieve change. "He's a courageous man. I think he is determined to change things."

The retired judge rejects accusations that as a Scot ignorant about young black people in South London, he was over sympathetic in conducting the

was summed up to me as the poisoned chalice of all time. I did not hold back and I never would, otherwise I should be guilty of the same sin as the detective chief superintendent who reviewed the first investigation. The report criticised DCS Barker for censoring himself when he carried out the review and producing a flawed and indefensible piece of work.

Sir William also rejects suggestions that he was influenced against his better judgment. "There was no attempt to hijack me by my adviser into reaching any conclusions or subject me to indoctrination."

He says that he did his best to be objective and that his recommendations were not a "selfish adventure". "I'm optimistic. I think the thrust of the report will come through."

He believes racism can be eliminated from the police force. "It's not endemic to the point of permanency."

11th-hour hope on Ulster deadlock

BY MARTIN FLETCHER, CHIEF IRELAND CORRESPONDENT

TONY BLAIR and Bertie Ahern raised hopes of an eleven-hour deal to break the deadlock over IRA disarmament late yesterday by flying back to Northern Ireland for a third consecutive night of intensive talks.

Government sources said that a deal to save the Good Friday accord was now "doable" and that the two Prime Ministers would not have returned if there was no sign of Sinn Fein and Ulster Unionist leaders being willing to move from their positions.

However, for Gerry Adams and David Trimble any such movement would mean taking enormous political risks. As last night's talks began it was unclear if they would budge or if they could survive politically if they did.

Mr Adams has repeatedly said that he would split the IRA if he tried to deliver disar-

contain the usual blanket rejection of decommissioning. Mícheál McLaughlin, Sinn Fein's chairman, suggested that this was "an attempt to give space" to the republican movement's political leaders.

Mr Trimble would risk removal by his Ulster Unionist Party if he agreed to establish an executive with Sinn Fein without prior disarmament. Unionist assembly members are evenly divided over the accord.

Mr Blair said that there was "no reason why this can't be done and we won't be forgiven, any of us, if it is not done". Mr Ahern said: "We are so near. The differences are about timing and dates. The principles are established."

Sources said that the Government was determined to resolve the decommissioning issue one way or the other by the end of today. "We are not letting this drag into Good

April heatwave

Britain will have the century's hottest start to April. Page 20

£2bn to save Longbridge

The future of Britain's biggest car plant was safeguarded when a deal between the Government and the German car giant BMW paved the way for investment nearing £2 billion at Rover Longbridge. BMW is putting in £1.7 billion plus a

INSIDE

'Instead of just trying to bomb the Serbs into submission, perhaps we should offer them early membership of the European Union as soon as they can show they are civilised'

— Anatole Kaletsky, page 24

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BALKANS WAR: CAMPAIGN STEPPED UP



Nato is poised to strike at the heart of the Milosevic regime, Michael Evans writes

Nato governments have opted for a broader targeting strategy to try to force President Milosevic to call off his troops and special police from Kosovo. It is the latest phase of Operation Allied Force, which was supposed to be the option left on the shelf, on the assumption that the initial stages would have succeeded in driving the Yugoslav leader towards a peaceful settlement.

However, just as the American-led coalition bombers of Operation Desert Storm had the authority to attack Iraqi Government buildings, power stations, strategic bridges, presidential palaces and any other facility that could be linked to President Saddam Hussein's war machine, so now Nato aircraft are being ordered to give Belgrade the "Baghdad treatment".

None of the military planners in the alliance had anticipated that within only six days of Operation Allied Force, they would have to be seeking authority from the 19 ambassa-

dors of the North Atlantic Council to expand the air campaign to embrace military targets in the whole of Yugoslavia.

Until now, the focus has been on air defence sites around the country — particularly in Montenegro — and, in the past 48 hours or so, on troop and tank concentrations in Kosovo itself. Yesterday, for the first time, George Robertson, the Defence Secretary, who with his morning press conferences has become the most senior political figure in Nato attempting to provide an upbeat version of the progress of the war, warned Belgrade that no part of Yugoslavia's war machine would be "immune" from attack.

Who would have predicted that less than two years after taking office, the Labour Government's amiable Defence Secretary would be declaring total air war on a European country?

For this is what the latest phase of Operation Allied Force implies. Assuming the weather over Yugoslavia clears up before long, Nato's heavyweights aircraft, the 13 US Air Force B52s and five B1B swing-wing bombers, all based at RAF Fairford in Gloucestershire, as well as an assortment of the most advanced ground attack planes in the world, will be targeting any and every facility linked to Mr Milosevic's military infrastructure.

'The aim is to make the Yugoslav leaders suffer. So far most bombs have fallen too far from Belgrade for Milosevic to lose sleep'

In particular, the aim of the latest phase will be to hit hardest at the facilities that are vital to the Yugoslav leadership, including the ministries in the centre of Belgrade that are linked to the oppression in Kosovo, power stations that keep Mr Milosevic's communications going in the capital, and even the presidential palace where he sometimes resides, although there are reports that he sleeps at different addresses for fear of being targeted.

The aim is to make the Yugoslav leadership itself suffer for its actions in Kosovo. So far, most of the bombs have fallen too far from Belgrade for Mr Milosevic to lose any sleep. This will change.

Although the latest phase has been authorised, there are no signs yet that the Nato armada is in a position to launch a campaign on this scale. The latest phase should have waited its turn until the initial phases had been adequately prosecuted. But now, because of the need to put the maxi-

mum military pressure on Mr Milosevic, all three phases are going to have to overlap — hitting air defences, Serb troops in Kosovo and going for the nationwide targets and Belgrade ministries.

That could require more aircraft than are now in Italy and elsewhere in Europe, let alone additional bombs and missiles. Even the mighty American war machine assembled in Italy and at RAF Fairford will need to stick up with more cruise missiles and guid-

ed bombs for Nato's final assault. There is not an inexhaustible supply. Mr Robertson and his fellow daily war presenter, General Sir Charles Guthrie, the Chief of the Defence Staff, yesterday repeated their now familiar refrain, that even the expanded bombing will still have its limits because Nato does not want to be accused, and cannot afford to be accused, of hitting targets which are too close to civilian areas.

behind them, the Nato military planners who drew up the list of targets will have included any government departments which have a direct part to play in the "ethnic cleansing" in Kosovo. These would include the Defence Ministry, Interior Ministry and possibly the Foreign Affairs Ministry, all of which are located in the same district of Belgrade.

The Interior Ministry, which is responsible for the ruthless MUP police units which have been causing ter-

ror among the ethnic Albanians, is at one end of a long street called Knez Milosa, at No 92. The Foreign Affairs Ministry is at No 24 and the Defence Ministry at No 29. There is also the Ministry of Industry at No 22 Nemanjina Street, which could be targeted because of connections to weapons production.

Nato has to play the role of mighty conqueror to get the message across to the Yugoslav people that Mr Milosevic is to blame for their suffering.

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American symbols feel city's wrath

Anger turns to panic in the streets, writes Tom Walker in Belgrade

BELGRADE residents hurried home in panic last night as fear spread throughout the city that Nato was about to bomb targets in the central area and around the plush Dedinje suburbs where President Milosevic lives.

At eight o'clock in the evening the streets were deserted, as the last trams and buses rattled through the blackness. Many street lamps were turned off, and in houses and apartment blocks residents stuck to their standard air raid drill, of closing shutters and opening windows to absorb any blasts and lessen the risk of flying glass.

The air raid warnings sounded early in the morning, and there was no all-clear. For the first time in the airstrikes campaign, those living in the city realised that Nato's threats were real. The few remaining diplomats feared widespread violence against Westerners and Western targets if the city centre is bombed.

Many Serbs have talked openly about burning down the US Embassy if the Ministry of Defence — just across the road — is attacked. The British Embassy is now also regarded as a legitimate target for public anger.

Army units gathered in city parks and tension increased in the affluent Dedinje suburb. Ambulances lay hidden down back streets, ready to ferry those injured in any blasts to the nearby military hospital. Guards outside Mr Milosevic's residence wore bullet proof jackets and helmets, and remained in their strengthened steel cabins.

Belgrade's central McDonald's restaurant was a shattered mess this week, its broken windows boarded up and daubed with crude graffiti.

A few hundred yards away, on the pedestrianised Knez Mihajlova, the American cultural centre had received a fresh smattering of swastikas — perhaps one for every Nato cruise missile that has hit the city's outskirts. On the nearby Republican Square the daily music against bombs, or rock against fascism, ploughed on, attended by thousands of youngsters and students with bullseye targets pinned to their chests and backs, although most have never been anywhere near Kosovo.

Across from the American cultural centre lies the undam-

aged Original Levi's Store, and many of those on the streets yesterday wore their Nike trainers and Champion tracksuits as easily as any of their contemporaries around the globe.

American films were withdrawn from the city's cinemas only yesterday, and the sacking of McDonald's came only after four nights of airstrikes. What is

easily forgotten is that, under Tito, Yugoslavia was considered ably closer to America than its Slav ally, Russia.

"We were more often on good terms with America than Russia," said Aleksa Djilas, one of Belgrade's most eminent historians. "We really liked the Americans, and it's hard to forget that."

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BALKANS WAR: MARGINS OF ERROR

Serbs 'get defence tips from Saddam'

By MICHAEL EVANS
DEFENCE EDITOR

TWO of the world's most ruthless dictators are now comparing notes and swapping experiences to help Belgrade to outwit the Nato bombers.

General Sir Charles Guthrie, the Chief of the Defence Staff, said yesterday that contacts between Yugoslavia's President Milosevic and Iraq's President Saddam Hussein had already yielded noticeable results.

Early last month, he said, a Serb delegation toured Iraqi air defence sites, "no doubt to learn tactics on how to down allied aircraft. We have seen some of these Iraqi tactics put into practice already over Serbia," he said.

Although he gave no details, there has been evidence of the Yugoslav Army hiding its surface-to-air missiles and constructing dummy Sam sites to foil Nato bombers. Baghdad probably also advised Belgrade to preserve the most potent Sam systems, such as the Sam 6, until a later point in the allied air campaign.

General Guthrie added: "Whatever assistance he receives from Saddam, Milosevic's enterprise will not succeed."

Cruise missiles wreck oven factory

Serbia mocks the precision of Nato weaponry that destroyed domestic appliances, reports Tom Walker

THREE days earlier it had been an American Stealth fighter-bomber that was the first officially displayed casualty of Yugoslavia versus Nato: yesterday it was nothing more than several thousand domestic appliances.

Anxious to please a journalist pack frustrated by the reporting confines of Belgrade, the Yugoslav Army escorted its second official press trip south of the dreaded 44th parallel to the central Serbian towns of Kragujevac and Cacak. At the first port of call two cruise missiles had destroyed empty warehouses on the edge of a military base; at the second, four cruise missiles had apparently wrecked the Yugoslav white goods industry.

The mystified management of Sloboda Cacak, a third of whose factory is now a mass of twisted metal and concrete, were at a loss to explain why their factory had been blown apart in twin Nato missile attacks on Sunday morning and again on Tuesday. They left holes 30ft deep and 40ft across, and wrecked sheds the size of football pitches.

"Last year Sloboda celebrated 50 years, and two days ago we received the strongest congratulations from Nato," said Radomir Lujic, the general director. "We employed 5,000 people, and that means 20,000 locally are now without bread. You will no doubt write that this is an ammunition factory, like Nato says, but I invite you

to look inside." State television has had no better explanation for the pounding of Cacak than that Nato's military planners had somehow been inspired by Graham Greene's *Our Man in Havana*, in which a British spy works as a vacuum-cleaner salesman. In this instance, carpet cleaning in Serbia has been put back by years.

Three coachloads of journalists scavenged about the factory, chased by police anxious to keep prying eyes away from several untouched sections. "There are unexploded Nato mines in there," said one officer. When a Chinese cameraman sought to relieve himself in the bushes, he was warned by the army's press liaison officer to beware of more non-exploded devices.

The Nato menace was everywhere.

Further east the attacks on Kragujevac seemed to fit more easily with Nato's military plan. The destroyed sheds were obviously military, although they appeared to serve little purpose, and a more obvious target seemed to be down the road in the shape of the Zastava arms factory, the oldest in Serbia.

Kragujevac's economy relies on the faltering fortunes of the Yugo car plants in the spring sunshine yesterday, it appeared a Dagenham with daffodils, in which 180,000 people have dissociated themselves from Western nations they



The remains of domestic ovens at the Sloboda factory in Cacak, which was targeted twice during the allied airstrikes and blown apart

once judged as friends. The people showed their pain yesterday in a long and dignified procession through the wooded park above the town, where around 20,000 gathered around a V-shaped concrete monument symbolising a pair of broken wings. Kragujevac suffered the worst massacre

visited on any Serbian town by the Nazis in the Second World War: 5,000, including entire high-school classes, were slaughtered here in October 1941 as the Germans vowed to take 100 Serb lives for that of every German soldier killed, and 50 for every one wounded. "We were afraid of Nato's

bombs, but now who cares?" said Milentij Obradovic, as he made his way to the monument.

A language professor, his father, who died in 1981, had been taken prisoner by the Germans and eventually transported to Auschwitz. "He would not have understood

the British and French of today," he said. The football team, FC Kragujevac, jogged past, resplendent in their red tops symbolic of the blood spilt by the town. Even the street names of Kragujevac are written in red, unlike the customary blue found elsewhere. It is a lifeblood of Serbia that all

those questioned said they would spill again for Kosovo. "I have visited all its towns, thanks to God, and I will go there again," vowed Milan Petrovic, who described how his mother hid from the Germans. "I never thought we would enter the 21st century like this."

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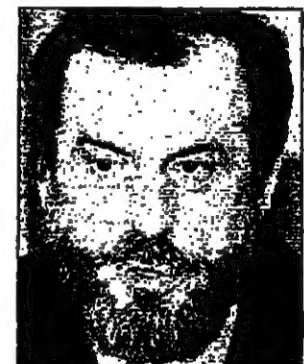
'Wolf' in Easter appeal

By ROGER BOYES

VUK DRASKOVIC, the Yugoslav Deputy Prime Minister, called yesterday for an Easter break in the Nato bombardment. "Even the Americans in Vietnam interrupted their bombing during the Christian holidays," he told the *Süddeutsche Zeitung*.

Fluent in English, witty and with ex-dissident credentials, Mr Draskovic is the media-friendly face of a regime run by hard-boiled apparatchiks. It was he who reversed Belgrade's decision to expel foreign correspondents and it is he who speaks on CNN. He appeals to Christian sentiment while Serbian thugs conduct their bloody Kosovo mission.

"The Christian world is celebrating Good Friday and Easter — first Catholics and Protestants, then seven days later Orthodox. I will be interested to see if Nato in these ten days will continue to bomb a Christian and European people so that an Islamic ethnically-



Draskovic: travelling salesman of the regime

pure Albanian state can set itself up on territory that is a cultural and spiritual foundation of the Serbs," he said.

Mr Draskovic's words have to be judged against his remarkable transition from a tribune of the street and student protests against Mr Milosevic to his role as travelling salesman of the regime.

The Serb nationalist commutes easily between the inner

circle of power and its apparent opponents: that is his appeal to Mr Milosevic, and his danger. One day someone will have to replace Mr Milosevic, and Vuk (the name means wolf) would like the job.

Mr Draskovic studied law in Belgrade. In the student revolution of 1968 he was on the side of the ultra-Leftists fighting the Tito regime. As leader of the Serbian Renewal Movement, he played a central part in student protests against the Milosevic regime. He and his wife Danica were beaten up.

The turning point came in 1996. Together with the pro-Western liberal, Zoran Djindjic, he formed a united opposition front to Milosevic and by the spring of 1997 Mr Djindjic was elected Belgrade's mayor.

Mr Draskovic then allowed himself to be used by Mr Milosevic, turning against the newly-minted mayor and shattering the opposition.

There are many chameleons in Belgrade, but none quite as slippery as Mr Draskovic.

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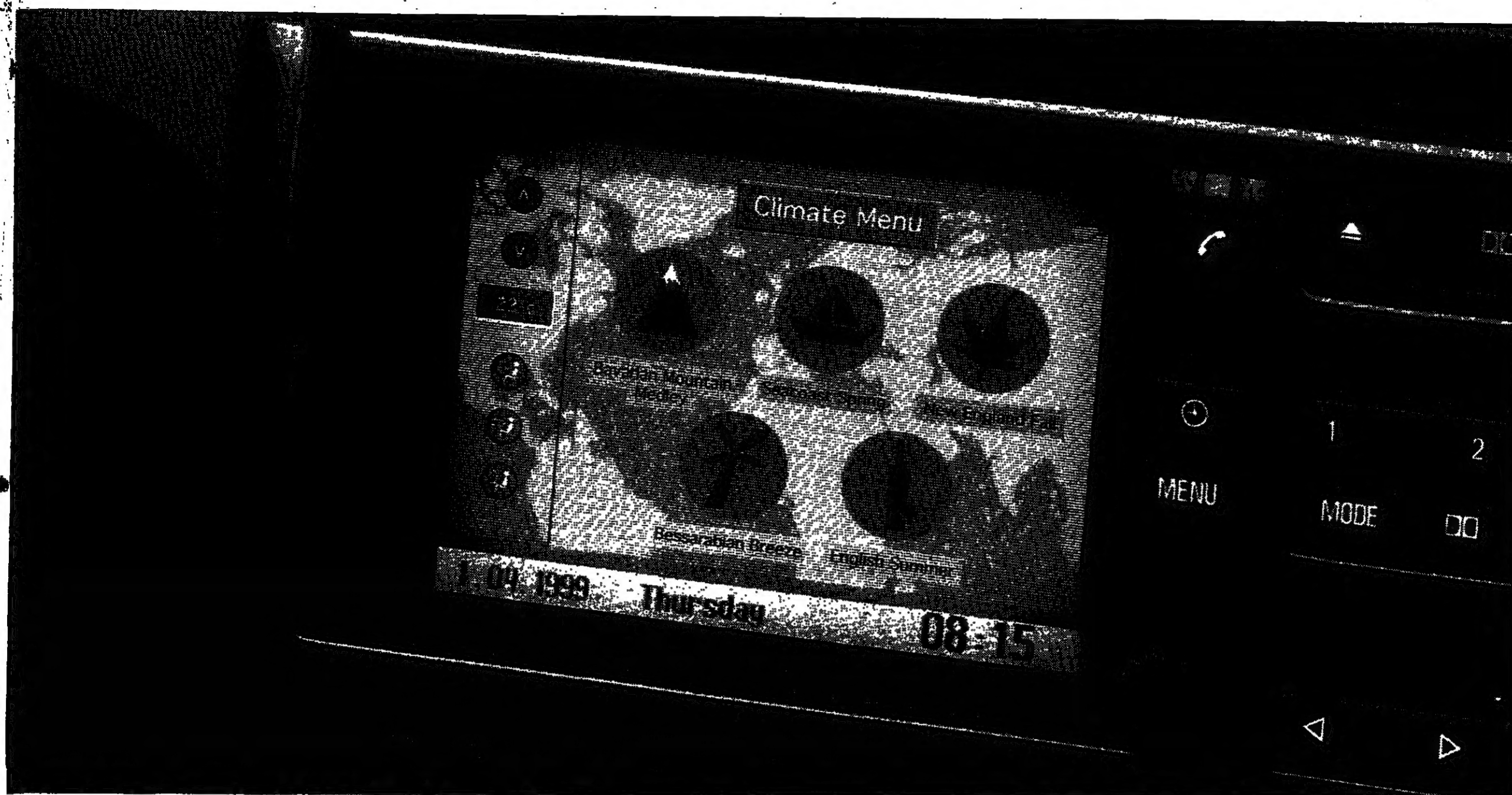
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A year has passed (Labour's Sally Keeble told the Prime Minister) since serious flooding in Northampton — remembered there with pain. "What message does my Rt Hon Friend have," asked a tremulous Ms Keeble, "for Northampton?"

One pondered this. How about: "Sorry your carpets got wet, but thank your lucky stars you have not been shelled, raped, robbed, herded into pens and driven at gunpoint over the border into Warwickshire, your homes



burning behind you". Tony Blair resisted temptation, and promised to keep Ms Keeble informed of something or other. Moments later we were back in Kosovo, discussing genocide. Then it was BMW's plans for Longbridge.

This was Commons's last afternoon before the Easter Recess, and a pretty scrappy occa-

Temping to sigh that an assembly which so jumbles together the grave with the trivial has lost that ancient sense of occasion our great-grandfathers' MPs would instinctively

ly have felt. Tempting, but probably wrong. As the spirit of the old British Empire enters the body of its new incarnation — deputy chief constable to the New World Order — our Parliament is returning to old habits, not learning new ones.

In the heyday of imperial expansion it would not have been odd for British MPs to salute the dispatch of a gunboat to the Persian Gulf, pass a Private Bill facilitating construction of a railway from Hull to Goolie, renege the loss

of a battalion of guards at the hands of Afghan tribesmen near the Khyber, and authorised funds for the establishment of a royal infirmary in Derby.

And some of the instincts being stirred this week at Westminster do feel old-fashioned. The Left, unsure whether the bombing of Serbia is to be deplored as Yankee-inspired neo-imperialism or embraced as the New Internationalism for which their forefathers volunteered in 1930s Catalonia, are all over the place.

The Right, torn between a spontaneous "Hurrah!" at the smell of blood from the battlefield, and a spontaneous "Hurumph!" at the sight of red ink on the Treasury books, are just as bewildered.

And as for the Press in our gallery upstairs — is it Clobbera Slooba and Back our Brave Boys Blitzing Belgrade Bullies? Or is it Save our Servicemen, Sucked into a new Suez by Swaggering Statesmen with more Sandimony than Sense? Here too confusion reigns as we prepare to as-

sume the prerogative of all journalists: to come down from the hills when the battle is over, and bayonet the wounded.

In short, it would have been unrealistic to expect from Prime Minister's Questions (or indeed Answers) anything, yesterday, you could call meaningful.

Instead we had a lucky dip: reach into sawdust and — Question 6 — up pops William Hague, bothered about the demise of Peps and Tes-

sas. Dip again and – yes, it's the Liberal Democrats' Alan Beith, advising Mr Blair to prepare our troops for action in a Kosovo protectorate. Or Mr Hague, plugging a pound for pound special charity offer by Government to help homeless Albanians. Or Eric Firth (C. Chislehurst) on IRA bombers... who did appear to have done more damage in an afternoon at Canary Wharf than all our Harriers in a week in Serbia. He could have suggested sub-contracting the IRA for Balkan operations.

The Pentagon has acknowledged that it is running low on cruise missiles, just a week into the intensive bombardment of Yugoslavia.

The US Air Force has already used at least a fifth of its available stock of 150 cruise missiles fitted with conventional warheads since the bombing campaign began, and the Navy's much larger supply is dwindling even faster.

There is no cruise missile production line now in operation in the US, and the armed forces have been urged to speed up government funds to help off an embarrassing shortage.

"We have a supply now, but it won't last for ever," Kenneth Bacon, the Pentagon spokesman, said. He said the declining stock of one of the most effective and popular weapons in the American arsenal was "something we do not worry

about." The conventional air-launched cruise missile (CALCM) is the air force long-range bomb of choice — able to target strongly-defended targets, with remarkable accuracy, while exposing the pilot to only limited danger. A single B52 bomber, such as those flying over Iraq, can launch 24 targets 1,500 miles away with up to 20 cruise missiles, each carrying a 3,000lb warhead.

Cruise missile reserves have been seriously depleted by recent airstrikes on Iraq. In December about 400 were fired by the US Air Force and Navy at Iraqi targets. The air force had 1,000 left during the Operation Desert Fox.

The stocks of air-launched cruise missiles are limited, and it's something we're ad-

dressing," Mr Bacon said. The US has applied to Congress for permission to convert 92 cruise missiles equipped with nuclear warheads into conventional missiles at a cost of \$51 million (\$31 million), while the US Navy has asked for an emergency appropriation of \$13 million to upgrade 324 sea-launched cruise missiles.

The Pentagon insists there are enough left to "continue striking important targets". But there is no end to the bombing campaign in sight, and at the present rate of striking, the US Air Force could use all its remaining cruise missiles before the end of the month.

Military experts say the US has other long-range bombs,

but running out of cruise missiles — a weapon highly rated since the Gulf War — could have a highly damaging effect on public opinion.

"It would be pretty embarrassing to have a war and then run out of ammunition," Colonel Joe Collins, a retired Pentagon official and senior analyst at the Center for Strategic and International Studies in Washington, said.

Each air-launched cruise missile costs around \$1.9 million, while the sea-launched Tomahawk cruise costs more than \$1 million. The Pentagon is currently developing a successor to the air-launched conventional cruise missile, the surface Standoff missile — but this is not due to go into production before 2002. The last

new air-launched cruise missile was made in 1986, while the nuclear-equipped missiles have been converted into conventional weapons since 1993.

Some analysts, blaming the Clinton Administration for cutting military budgets, say the shortage is part of a wider problem of under-funding of the armed forces, which are now facing problems of too few recruits and equipment that is often outdated and in short supply.

A recent memo to the Pentagon from Air Combat Command, which oversees US air units in Europe such as those at Fairford, complained: "Operational units are suffering". The memo, obtained by *The Washington Times*, said "inadequate funding" had left aircrews with "few serviceable spare engines [and] depleted wartime spare kits".



BY ROGER BOYES

ARKAN, the bloodthirsty Serbian militia leader whose supporters are burning Kosovo, has been indicted as a war criminal by the United Nations Tribunal in The Hague.

The disclosure of his position on the wanted list by the tribunal's chief prosecutor, Louise Arbour, will not come as a surprise to the police forces of Holland, Italy, Sweden, Finland, Belgium and Croatia which all have open arrest warrants on the man whose group, known as the Tigers, was burning and looting in the Croatian town of Vukovar during the war in Kosovo.

However, the court action does mark a turning point: the pursuit of suspected war criminals, rarely identified last year,

go underground, is now a matter of priority and will be a way of measuring whether the war is a success for Nato. Mrs Arbour said yesterday that the exact terms of the indictment would remain under seal until Arkan's arrest.

"In light of the recent reports of his alleged involvement in Kosovo, I have decided to make public the existence of an indictment against Zeljko Raznatovic, otherwise known as Arkan. I have obtained an order from the judge today that the warrants for his arrest be made public, and attempts are being made now to locate him," she said.

So far Arkan has little to fear. A day after being identified by Robin Cook, the Foreign Secretary, as one of those leading the killings in Kosovo,

he appeared in Belgrade with his two small children. In the age of mobile telephones he does not have to leave town to spread terror.

The German Society for Threatened Peoples, a human rights group, calculates that his Tigers are responsible for 24,000 deaths.

Interpol has longstanding warrants out for his arrest: the crimes include suspected involvement in murders and burglaries in Milan, Stockholm and Brussels. In Belgium he broke out of jail. Croatia has drawn up charges on 21 murder counts.

He is married to a pop singer called Svetlana "Ceca" Velichkova, gave up her tight leather outfit to become a dutiful wife and mother in their vast bunkhouse house.

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BALKANS WAR: STRAINS ON NATO

Waiting game puts alliance resolve to the test

NATO is racing against time on two fronts in its Kosovo offensive. While allied aircraft are rushing to rescue the Kosovo Albanians from the Serb forces, the political leaders are struggling to save their unity in the face of signs of dissent among their shakier members.

Javier Solana, the Nato Secretary-General, says the extraordinary resolve with which all 19 Nato governments backed military action is glowing testimony to a sense of moral purpose as the alliance transforms itself from a Cold War machine to multi-national peace enforcer.

Musing on the week's campaigns, Señor Solana said it was impressive that German and Italian aircraft had been ordered into action by left-wing governments in the same month that Poland, the Czech Republic and Hungary — former members of the Warsaw Pact — had joined the alliance. The German decision "took tremendous courage", he said. "I think we should get a little bit emotional about all this."

However, the Western partners are in no doubt that a primary goal of President Milosevic is to drive a wedge through the alliance, splitting the United States and Britain, its most martial members, from the governments with shakier convictions in the wisdom of a long offensive. Seen from Belgrade, these include France, Germany, Italy and Greece.

Summing up Serb strategy this week, a Nato spokesman said Mr Milosevic "believes he can realign his ethnic prob-

Serb strategy aims to drive wedge into Nato unity, Charles Bremner writes from Brussels

lems in one week and that Nato unity will crack in that same period."

Tensions were rumoured to have surfaced at Nato headquarters on Tuesday night when alliance ambassadors debated the merits of moving to a "Phase 3" operation, which would widen the air war to a range of strategic targets across Serbia. However, Jamie Shea, Señor Solana's spokesman, said yesterday

'We are beyond the point of no return when it comes to unity'

that the harmony among the ambassadors had been striking and gave the lie to predictions that resolve would crack. "I have never seen the alliance so determined and resolved. We are beyond the point of no return when it comes to unity," Mr Shea said.

France's commitment to fighting with the alliance from which it has been semi-extricated for three decades is a source of satisfaction at Nato. For the moment, Paris is

holding firm but President Chirac and Lionel Jospin, the Prime Minister, have gone to considerable lengths to quash qualms among politicians and the media over the heavy military commitment to the US-led operation. However, television reports of Serb atrocities this week have rallied public opinion and 58 per cent support the use of ground troops if necessary, according to a poll yesterday.

Gerhard Schröder, the German Chancellor, is holding to a policy of absolute loyalty to Nato in the country's first combat operation since the Second World War. But his Green coalition partners are growing restive, along with members of his own Social Democratic Party.

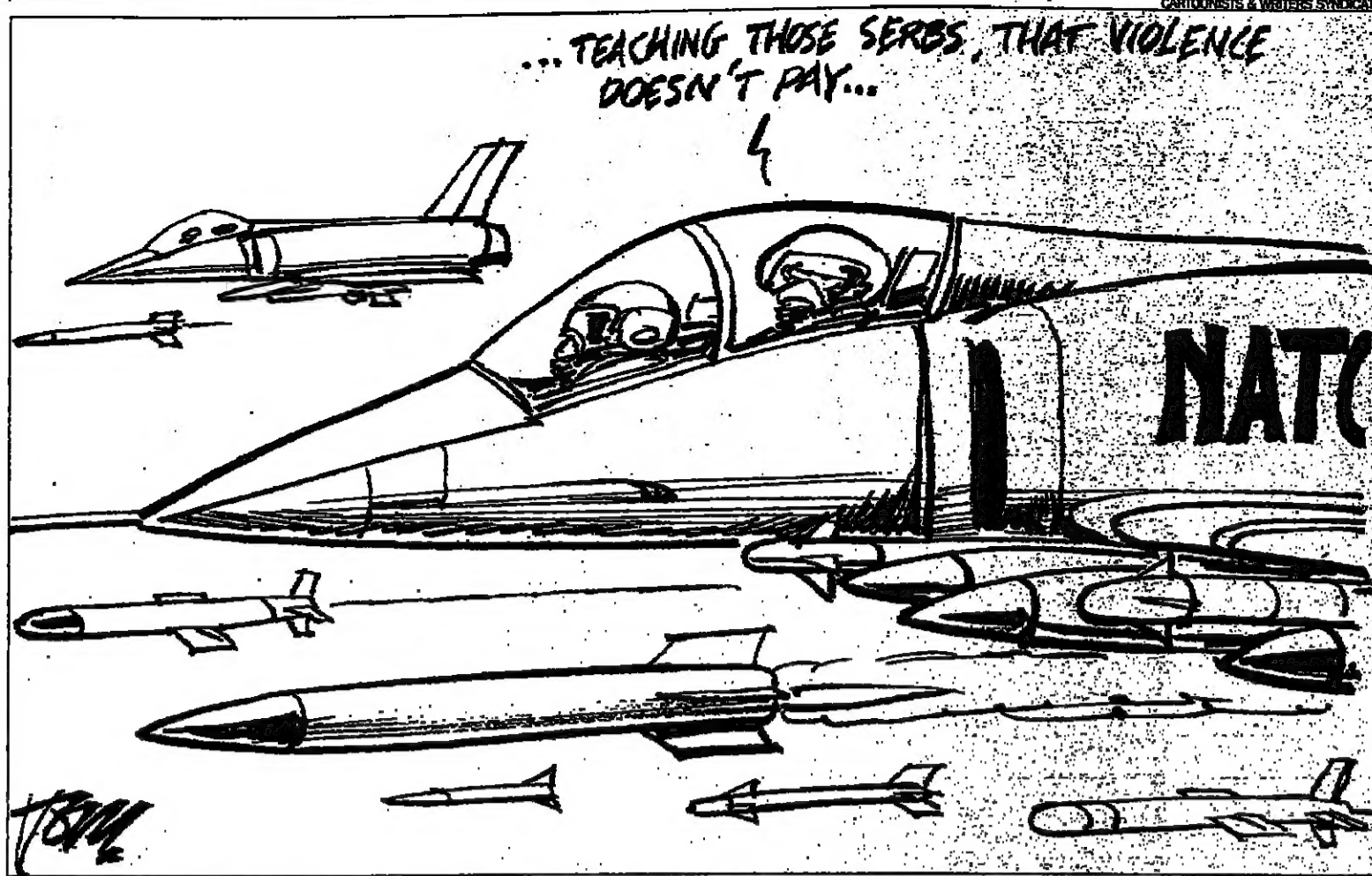
For political and geographic reasons, Italy and Greece present the most obvious weak links. Governed by the traditional Left and close to the

fighting, both have called publicly for a pause in bombing and a return to negotiation.

Italy's support is deemed vital because most of Nato's operations are being carried out from air and naval bases there. A prolonged action could even bring down Massimo D'Alema's coalition because his communist allies are threatening to withdraw their two ministers from his centre-left coalition unless he does more to halt the air campaign.

There are also concerns that a long war could test the loyalty of Nato's newest members. Hungary, which is the only Nato state that borders Serbia, has backed operations but is not taking part. Support for the campaign is running about 60 per cent, according to opinion polls, but Hungarians are worried about the 300,000-strong Hungarian ethnic minority living in the Vojvodina province of Serbia. Dissent is also visible in the Czech Republic, while Poland has given its whole-hearted support.

Support in the rest of the alliance remains firm, however, with public backing particularly strong in Spain.



The cartoonist Tom's view in the Amsterdam paper *Trouw* of the thinking behind Nato's continuing aerial onslaught on Yugoslavia

Envoys forced to leave embassy in US

By DAMIAN WHITWORTH IN WASHINGTON

THE US Government yesterday took possession of the Yugoslav embassy in Washington after instructing the diplomatic community to leave. The action followed the breaking off of diplomatic relations by Belgrade.

"We followed our standard diplomatic practice for cases of broken relations," said a State Department spokesman after officials and Secret Service officers took over the embassy and the newly Ambassador's residence in the early hours.

Diplomats and staff had been given until midnight on Tuesday to leave the buildings but some still emerged in nightshirts when officers moved in shortly after the deadline passed. Yugoslavia announced last Thursday that it was breaking diplomatic relations with America because of the Nato attacks. It also broke ties with Britain, France and Germany because of their role in "armed aggression".

The United States closed its embassy in Belgrade last weekend and evacuated remaining diplomats prior to Nato airstrikes. With neighbouring streets blocked, officials first took possession of the Washington embassy and then the nearby chancellery.

The State Department's Office of Foreign Missions co-ordinated the takeover, routine when diplomatic ties are broken. The department said it was acting under the terms of the Vienna Convention and promised to "respect and protect the properties without prejudice to the eventual settlement of property issues among all the successor states to the former Yugoslavia".

Belgrade hacks holes in the Net

Brussels: Yugoslavia has scored a high-tech hit in the heart of Nato by paralysing the alliance's public Internet site and disrupting its e-mail system and other computer systems, officials reported (Charles Bremner writes).

Jamie Shea, the alliance spokesman, said "hackers in Belgrade" had saturated the server used for the alliance website (www.nato.int), putting it out of action for the past three days.

In addition, "an individual" in Serbia was playing havoc with the open e-mail system by deluging it with 2,000 messages a day, Mr Shea said.

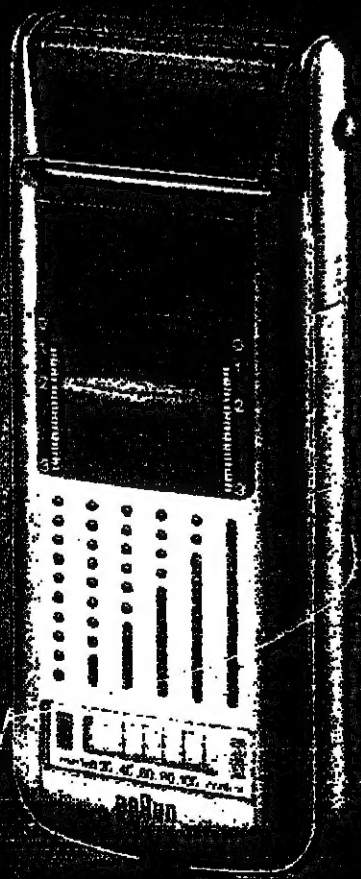
A "macro-virus" coming from Yugoslavia had damaged software and hardware in some alliance computers, he said, without giving details.

Officials said the computer trouble was affecting only "unsecure" systems that are connected with public networks. The alliance's high-security electronics were not affected.

However, the frozen Internet site has caused embarrassment by depriving the public and media of direct access to Nato's version of the Kosovo campaign. Technicians are trying to restore the systems.

LINKS
<http://www.jugos.com> — Linking of War and Peace Reporting Group with other range of independent reports on war, human rights, terrorism.
<http://www.belgrade.com> — Links to other websites in the Balkans and "other areas". An aim to do internet link compromise directly with other sites.
<http://www.nato.int> — NATO's official website.
<http://www.defence.gov> — Ministry of Defense site dedicated to Kosovo conflict, with speeches by Secretary of Defense, Bill Clinton, and the Secretary of Defense, William Cohen.
<http://www.southwest.com> — Private-based agency selling news and services from Southwest Airlines.
<http://www.kosovo.com> — Kosovo Liberation Army site offering a propaganda and interview.

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WILLIAMSON

Gun raid PC on murder charge

By RICHARD DUCE

A POLICEMAN was charged with murder last night in the case of an unarmed man shot dead at his home more than a year ago.

Four Sussex police officers also face misconduct charges over their handling of the raid in Hastings that led to James Ashley, 39, being fatally shot in the chest while he was in bed with his girlfriend.

The five officers were charged on the day that the Sussex Police Authority reinstated its chief constable, Paul Whitehouse, 53, had been suspended from duty over allegations that the public was misled by police about the circumstances of the shooting.

The officer charged with murder yesterday is PC Christopher Sherwood, 31, who allegedly fired the fatal shot. Only one other serving policeman is believed to have been charged with murder. The other officers charged yesterday are Superintendent Christopher Burton, 42, who was in overall command of the raid; Inspector Kevin French, 46, the crime manager; Inspector Christopher Paul Siegs, 40, the operational planner; and PC Robert Shoesmith, 37. Because the allegations against them are linked to a murder charge, they could also face life imprisonment. All the officers were bailed to appear before Bow Street magistrates on May 21.

A sixth officer, PC Stephen Crocker, was told that there was insufficient evidence, at present, for any charges to be levelled.

The solicitor for PC Sherwood, who also faces an alternative charge of manslaughter, said: "My client emphatically denies the charge and will be vigorously maintaining his innocence throughout the proceedings."

Graham Alexander, chairman of the Sussex Police Federation, said of the five officers: "We will provide them with the best legal team and support them throughout."

In a separate development, Mr Whitehouse, who was suspended as Chief Constable of Sussex three weeks ago, was reinstated at the end of an all-day meeting of the police authority in Lewes.

The authority said that it was felt to be in the best interests of both the public and police in Sussex that he should resume his post.

Just hours after the raid in which Mr Ashley was shot, Mr Whitehouse said that Mr Ashley was wanted in connection with the attempted murder of a man who had been stabbed outside a bar in Hastings, and a cocaine trafficking inquiry. However, only a small quantity of cannabis was found at his flat and it later emerged that Mr Ashley had probably saved the stabbed man's life by pulling his assailant from him.

Last night a spokeswoman for Mr Ashley's family said that his mother, Ellen, was in hospital after having collapsed at the weekend because the delay in any action surrounding her son's death had taken its strain. However, she said: "The family is very relieved that the charges have now been made."



Sherwood: emphatically denies murder charge

Lockerbie suspects 'fly in at weekend'

By MICHAEL BINYON, DIPLOMATIC EDITOR

A SECRET flight carrying the Lockerbie bomb suspects from Libya may touch down in The Netherlands this weekend, the Foreign Office believes.

The Libyans are still in final negotiations with the UN, and Britain has not been told the details, but diplomats believe that Muammar Gaddafi, the Libyan leader, is ready to send Abdel Baset Ali al-Megrahi and Lamine Khalifa Fhimah for trial by a Scottish court in The Hague. It is thought he will choose to do so during the quiet Easter weekend, while attention is focused on Kosovo.

Jana, the Libyan news agency,

said that President Mandela, who visited Tripoli on March 19, had confirmed to Colonel Gaddafi that everything was on course and in accordance with agreements made with the UN.

On their arrival, the men will be formally arrested. They will then be extradited to Scottish jurisdiction and be held in the special court complex being built at a former air base.

The Scottish Office confirmed that six officers from Dumfries and Galloway Police have been stationed in The Netherlands to await the handover of the two suspects.

INSIDE SECTION 2

Russell Celyn Jones on Salman Rushdie

Duncan Fellows on Bruce Chatwin

Elaine Feinstein on Serena Vitale

Books, pages 42-44



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ACTIV



Robert Slack leaving the tribunal yesterday after winning £13,000 compensation

Fault-finding lecturer was unfairly sacked

By ROBIN YOUNG

A UNIVERSITY lecturer who became obsessed with identifying what he said were a multiplicity of mistakes in a colleague's books yesterday won a claim for unfair dismissal and £13,000 compensation.

Robert Slack, 50, a senior lecturer in business studies at the University of North London, claimed he was fired for pointing out embarrassing mistakes made by his fellow lecturer, Humphrey Shaw.

Mr Slack, who worked at the university for 11 years and was paid £32,000 a year, told an employment tribunal in Central London yesterday: "Students were supposed to go over examples in their books with me but they complained that what I was telling them was different from the book, *Finance in Organisations*. So I went away to read it. I could not believe what I was reading. It was so bad. There were over 1,000 errors."

He said he had marked his copy of the book with some of the "most obvious" errors. The response of his head of department, Frank Blewett, "totally ignored the fact that the book was unacceptable and bound

to be damaging to students. Instead, he used the memorandum to criticise me."

At the end of 1996, he wrote again to Mr Blewett about another book of Dr Shaw, *Strategic Financial Management*, "which appeared to be worse than the first one".

Mr Slack then took the matter up with the chairman of the academic quality committee and with the acting vice-chancellor, but in December 1997 he was told that his memos about Dr Shaw were libellous and amounted to a "campaign of continued harassment and totally unreasonable behaviour". On March 16, 1998, after a disciplinary hearing, Mr Slack allegedly told

Mr Blewett during an argument at a Tube station: "You're going to die, sunshine."

Two days later Mr Slack was told he was guilty of serious misconduct and given a first and final written warning. In July 1998, Mr Slack was found guilty of misconduct in relation to the threats to Mr Blewett and sacked for being in breach of the first and final warning.

But yesterday the university accepted that the warning was not in place when Mr Slack was alleged to have threatened Mr Blewett, and the tribunal therefore found that Mr Slack had been unfairly dismissed. However, it voted by 2-1 not to reinstate him.

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هكذا من الاول

Why cup of green tea stops cancer

By NIGEL HAWKES
SCIENCE EDITOR

Court of Appeal upholds claim by McLibel pair and cuts bill for damages, writes Frances Gibb

The appeal judges ruled that it was "fair comment" to say that the restaurant's em-

In Britain alone, more than three million of the leaflets have been handed out and the McSpotlight website, which contains more than 20,000 files about the trial and about McDonald's, has been visited more than 65 million times.

Dave Morris and Helen Steel: the court said their criticisms of McDonald's food and wages were fair comment

The judges yesterday rejected allegations by Ms Steel and Mr Morris of bias against the trial judge and upheld the right of McDonald's to protect

Third World starvation, destruction of the rainforests and damage to the environment through packaging, as well as allegations of food poisoning,

McDonald's said that the court had held that the pair's allegations on pay and conditions were comment, not statements of fact.

Black tea undergoes a production process that reduces the amount of EGCG in the tea, and the Purdue research suggests that, as a result, it is a less potent anti-cancer agent.

Leading article, page 25

By ROBIN YOUNG

The earliest laws of cricket gave the captain who won the toss the choice of which pitch

In Test cricket, visiting captains have the privilege of calling heads or tails. Perhaps because an Australian pastime is a betting game involving coins called "two up", England captains rarely seem to get the better of them.

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unt for peace goes to the outer limits

IT WAS late on Tuesday night, after Bertie Ahern, the Irish Prime Minister, had left Hillsborough Castle by helicopter for Dublin, that the detailed work to rescue the Good Friday peace accord began.

Tony Blair and Mr Ahern had spent the entire day, and much of the previous evening, in talks with David Trimble's Ulster Unionists. Sinn Féin and other interested parties, probing the outer limits of what might be possible to break the deadlock caused by Mr Trimble's refusal to admit Sinn Féin to government until the IRA begins decommissioning its weapons.

Half a dozen top British and Irish officials then took over. They worked late into the night and early yesterday morning to identify a possible way through the impasse. At 9am Mr Ahern rejoined his UK counterpart at Hillsborough for a further two-and-a-half hours of intensive talks with the parties.

The rough shape of the proposed deal appeared to involve an IRA commitment to the principle of decommissioning and a guaranteed timetable for disarmament to be completed within the two-year timeframe set out in the Good Friday accord.

In return the Unionists would agree to set up an executive that included Sinn Féin provided that disarmament began almost immediately. The deal could be underwritten by the two Governments and General John de Chastelain, head of the international disarmament body.

Significantly, senior members of the IRA were in the Sinn Féin delegation at Hillsborough, and just before 11am the IRA issued its annual Easter statement through an

Martin Fletcher traces how the proposed Ulster breakthrough emerged from protracted talks

Phoblaht, the republican movement's newspaper, in Dublin.

The statement said that the IRA's guns were silent, that it wanted to see a permanent peace, and that the peace process had the potential to resolve the conflict. But government sources suggested it was important for what it did not say, rather than what it did. It did not contain the blanket refusal to consider decommissioning of past IRA statements.

Just before midday the two Prime Ministers came out on to the driveway at Hillsborough for a brief press conference before heading back to their respective capitals.

Mr Ahern said that the basic principles had been established and that disagreement now was "about timing and dates". Mr Blair said that "good progress" had been made and urged the parties to redouble their efforts for the

Mr Trimble addressed the media. He suggested that there had been little progress beyond improved "atmospheres" and dismissed the IRA's statement as "anodyne". What he wanted to hear was "a clear commitment by them to end the war, to decommissioning, to disarming, in accordance with the agreement, within the timescale of the agreement... and we want, of course, that process to begin in a credible way".

Government officials saw significance in Mr Trimble's phraseology. He had demanded a "commitment" to decommissioning, rather than "prior" decommissioning. It was a formulation repeated at different times by two other Ulster Unionist spokesmen.

Mr Trimble then left Hillsborough to brief members of the UUP assembly group at Stormont. It is believed that the idea of forming

secretive night of talks, the future of the Good Friday accord, and perhaps the entire peace process, rested on two great unanswered questions: would Gerry Adams risk splitting the IRA by calling for decommissioning; and would Mr Trimble risk being deposed as Ulster Unionist leader by ceding the principle of prior disarmament?

Mr Adams recently coined a phrase for what he and Mr Trimble had to do. He called it "jumping together". Army bomb disposal experts were examining suspect devices in Belfast and Co Tyrone yesterday after a dissident loyalist group issued warnings that it had planted explosive devices.

The Red Hand Defenders claimed to have planted a bomb under the car of what it called a prominent republican in Dungannon, and to have thrown a device into the rear garden of a Catholic family in North Belfast.

The alerts came after a pipe bomb exploded when it was thrown through the window of a house in Antrim. The occupant escaped unhurt when he was alerted by the noise of a smoke alarm.

The RUC said a Dungannon man had spotted something beneath his car, kicked it into a hedge and thought no more of it. Later a call from the Red Hand Defenders, claiming to have planted a device under the car of a man at the same address, sent army bomb disposal experts to the scene to examine the object.

In North Belfast a device with wires leading from it was spotted in the rear garden of a house at Grey's Lane in the Shore Road area of the city. It, too, was being examined by a bomb expert.

"Gerry Adams coined a phrase for what he and David Trimble have to do — jumping together"

sake of all of the people of Northern Ireland.

Both men said that they stood ready to return to Hillsborough in the evening if there was a real chance of a breakthrough.

As the Prime Ministers left

the executive a very short time before the first downpayment of weaponry was raised tangentially and caused considerable concern.

As the Prime Ministers arrived back at Hillsborough late yesterday for a third con-



The talks continue: Tony Blair and Bertie Ahern at Hillsborough Castle yesterday

Labour faces Scots election threat

By JASON ALLARDYCE
SCOTTISH POLITICAL REPORTER

LABOUR faces the prospect of a damaging court battle during its Scottish election campaign after the Lord Provost of Glasgow threatened to sue the party for damages.

Pat Lally, who was suspended from the party for 18 months last January after a Labour inquiry into factionalism in Glasgow City Council, wants it to clear his name. Peter McCann, a solicitor for Mr Lally who is retiring from council politics in May, says he wants damages and an apology.

Although the matter is unlikely to reach court before elections to the Scottish parliament on May 6, Mr Lally's threat will focus fresh attention on alleged Labour sleaze in local government.

The Lord Provost managed to outflank a Labour attempt to remove him from office after the suspension when, in February 1998, he was granted a judicial review of the decision.

The suspension was lifted after party officials concluded that they could lose the court case because their procedures had not taken account of Scots law. He had been suspended after claims that Labour councillors were trading political support for trips.

Peers get the vote, but don't know how to use it

By JAMES LANDALE, POLITICAL CORRESPONDENT

HEREDITARY peers — probably the most inexperienced electorate in the world — must overcome one of the most complex electoral systems ever to escape Labour's axe.

The hereditaries, who are barred from voting or standing in general elections, face a system of five separate elections with five different electorates to find the 92 peers who would stay on under a compromise deal. This raises the possibility of hereditary peers who have never cast a vote or stood for election discreetly canvassing around the bars and restaurants of the Lords. The so-called Weatherill amendment to the House of Lords Bill was formally tabled yesterday and could still be rejected by peers in coming months.

Under the latest proposals, which have been seen by The Times, the ballots would take place in the Lords' "spillover" session of Parliament. Each hereditary peer would have the chance to vote in two of the five polls, life peers in just one. Each peer could cast a different number of votes in each

ballot. Ties would be resolved by the drawing of lots. And unwell peers could cast a postal ballot only if they sent a doctor's note to the parliamentary clerks. The latest blueprint, drawn up by officials in the Lords, will be considered by the Lords Procedure Committee before being put to the House as a whole. The first ballot will involve all peers, whether hereditary or life, electing 15 hereditary peers to act as so-called officers of the House, such as committee chairmen or deputy speakers. In the second ballot, the 303 Tory hereditaries would elect 42 of their number to stay on. In the third, the 208 hereditary crossbenchers would elect 28 of their number to survive. In the fourth, the Liberal Democrats' 24

hereditaries would elect three to stay on. In the fifth, Labour's 18 hereditaries would vote to give a reprieve to two of their number. The basic system is first-past-the-post, with a bit of single transferable vote to resolve ties.

The move came as a Private Member's Bill containing most of the Government's proposals to strengthen laws on soccer violence was published. The Bill, introduced by Simon Burns, Conservative MP for Chelmsford, includes banning convicted hooligans from travelling to overseas matches and outlawing indecent and racist chanting by individuals rather than by groups, as at present.

His Bill has government support.

Leading article, page 25

Drink-free soccer zones dropped

By RICHARD FORD, HOME CORRESPONDENT

PROPOSALS for alcohol-free zones before and after football matches have been abandoned by the Government.

The plan which could have barred pubs, restaurants and supermarkets from selling alcohol for up to 24 hours was dropped after criticism that a ban would disrupt the lives of people who had nothing to do with football.

Ministers were also warned that closing pubs and bars in whole towns or districts around football stadiums would simply force supporters to drink just outside the exclusion zone.

Ministers have also postponed pressing ahead with the controversial proposal to give

the courts power to issue restriction orders on known hooligans who have not been convicted of a football-related offence. The order would have banned travel to an international or domestic game.

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His Bill has government support.

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مكتبة الأصيل

Pay fury as Lords ministers get 25%



Baroness Blackstone: to be paid salary of £64,426

MINISTERS in the Lords will receive rises of up to 25 per cent today — ten times the rate of inflation — to allow them to catch up with their colleagues in the Commons, Tony Blair announced last night.

The increases of more than £11,000, recommended by the Senior Salaries Pay Review Body, were immediately attacked by teaching and health service unions, who accused the Government of blatant injustice.

Ministers of state, such as Baroness Blackstone, the Education Minister, are to get a 20 per cent increase, from £53,264 to £64,426. Teachers received only 3.5 per cent.

Parliamentary under-secretaries, such as Baroness Hayman, the junior Health Minister, will get 25 per

Teachers angry at rise of ten times inflation, writes Jill Sherman

cent increases, taking their salaries to £55,631. Nurses received an average of about 5.4 per cent.

Lord Carter, Government Chief Whip in the Upper Chamber, will also see his salary rise in line with ministers of state, while his deputy, Lord McIntosh of Haringey, will get an £11,000 pay rise in line with parliamentary under-secretaries.

The increases include a 2.8 per cent inflation rise that ministers in the Commons received in February when their pay was decided. But ministers in the Lords still lag behind their Commons colleagues because of the extra amount they get for being

an MP. A minister of state there gets £80,367 from today, while a junior minister will get £72,327.

"This recommendation reflects the review body's findings that, since the 1996 changes to the pay arrangements for ministers in the Commons, the salaries of these posts in the Lords has fallen behind to an unreasonable extent," Mr Blair said.

Teaching unions were furious at the rises, which were seven times more than they received. Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers, said: "It is a blatant injustice to give teach-

ers 3.5 per cent when they treat themselves to 20 per cent rises."

A spokeswoman for the NUT said: "The Government has one rule for its favourites and an entirely different one for those it has to depend on to deliver its standards and aims in education. It treats its own members with a generosity that it refuses to give its teachers."

Ian Bogle, chairman of the British Medical Association, said that senior doctors were still angry at the Government's refusal to honour the independent pay review body recommendation that they should be paid an extra £50 million from next year to com-

pensate them for the extra work they were doing. Junior doctors were angry that the Government was not prepared to pay them overtime for working on holidays and weekends.

"If the Government feels comfortable about awarding significant increases to these ministers, we think they should have the grace to honour the recommendations of the independent pay review body," he said.

Under a separate report from the Senior Salaries Review Body, Donald Dewar is to get £104,000 if he is elected First Minister of the Scottish parliament, putting him on the same salary as the Prime Minister, and higher than Cabinet ministers.

Letters, page 25

NEWS IN BRIEF

Nice end to postcode medicine

Frank Dobson, the Health Secretary, promised an end to "postcode prescribing" yesterday as he inaugurated a £10 million body to give doctors guidance on which treatments are best and most cost-effective.

If the National Institute for Clinical Excellence — Nice — rules that one type of treatment is better than another, doctors everywhere will be expected to prescribe it, ending "a situation where adjacent health authorities look at different evidence and come to different conclusions", he said.

Pinochet inquiry

The Lord Chancellor last night announced an inquiry into whether the Law Lords' decision on General Pinochet was leaked to *The Times*, which predicted the decision that he could be extradited only on crimes committed after 1988.

Award upheld

A US appeal court has upheld a \$1.2 million award (£740,000) against the US Government to the parents of Michael Whitley, 26, a lieutenant in The Duke of Wellington's Regiment who died in a 1993 road crash after his US Army driver fell asleep.

Weighty matters

More women are becoming heavier drinkers, heavier smokers and just plain heavier. While men are becoming slightly more abstemious, more of them, too, are putting on weight, according to the latest Health Survey of England.

Water curbs

Government action was announced to stop water companies, farmers and industries draining rivers, lakes and boreholes dry. New laws will curb traditional abstraction licences and cancel those doing most damage.

Jet-set babies

When Grace Ndanyu went into labour with twins three months early in a jet flying at 35,000ft, she was on the right aircraft. A group of British doctors on the flight from London to Abu Dhabi kept the babies alive using oxygen masks.

Degas dancer prepares for leap to a £7m record

BY DALYA ALBERGE, ARTS CORRESPONDENT

A PASTEL by Edgar Degas is to be sold in London for an expected £5 million to £7 million, putting it in line to exceed the £6.6 million record for a work on paper set by a Van Gogh watercolour.

Danseuse au repos, never before exhibited outside Paris, was unveiled yesterday at Sotheby's, where the Van Gogh was sold in 1997.

The picture of an exhausted ballet dancer massaging her foot, which dates from about 1879, was purchased in 1885 by one of the artist's friends, a French industrialist. It has remained ever since with the family of Jules-Emile Boivin, who established the first sugar refinery in Paris, but they have decided to sell it through Sotheby's on June 28.

Melanie Clore, the deputy chairman of Sotheby's Europe, said: "There have been a lot of Degas on the market, but it is rare to get a great one."

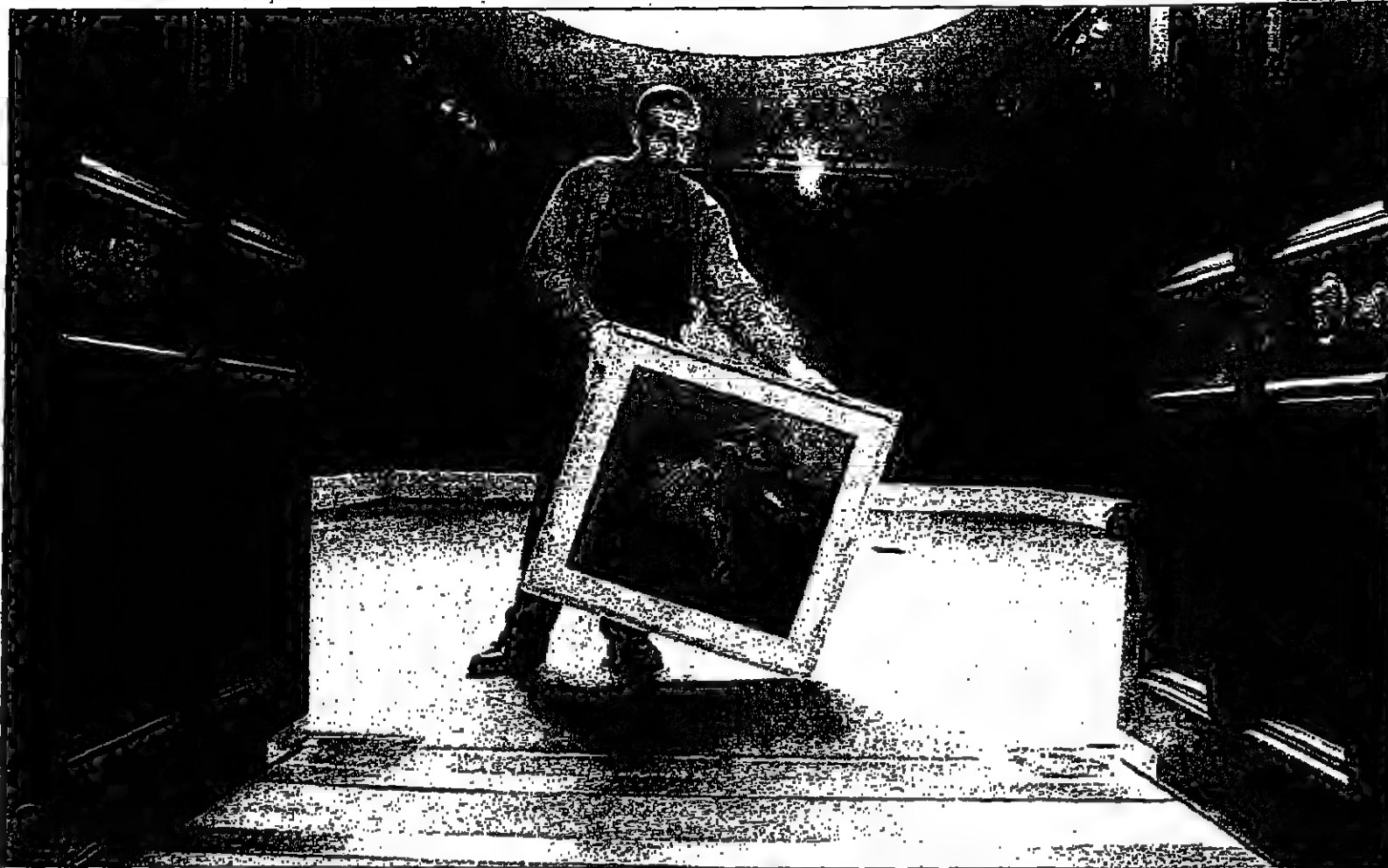
The picture is from the artist's series of informal studies of ballet dancers, which he began in the 1870s. Ms Clore described it as "the most beautiful

work by Degas to have appeared on the market since the sale of *L'Attente* at Sotheby's in New York in 1983", a work that was purchased jointly by California's Getty Museum and the Norton Simon Museum.

She drew parallels between Degas' fascination with dancers, depicted in different poses and at different moments, and Monet's obsession with returning to the same image at different times of the day.

Boivin, who also collected Sisleys and Pissarros, purchased six Degas paintings. The sale will include *Femme assise devant un piano*, 1882-83, an intimate composition of a woman engrossed in studying a musical score unaware of onlookers. It is expected to make £3.5 million.

Two other Degas works from the same collection are in museums. *Woman with vase of chrysanthemums*, 1865, was sold in 1921 to Mrs Havemeyer, one of the great impressionist collectors, who in 1929 bequeathed it to the Metropolitan Museum of Art in New York. Two years ago,



Sotheby's head picture porter, Dominic Cacioppo, with *Danseuse au repos*, which has left Paris for the first time since bought by a friend of the artist

Danseuses went to the Musée d'Orsay, Paris, after it was acquired by the French Government in lieu of tax. Website: <http://www.sothebys.com>

A landscape by Thomas Gainsborough, discovered four months ago in New Zealand, was sold for £133,500 at Sotheby's in London yesterday.

It had been spotted by Martin Gallon, a picture specialist at the auction, who was doing an *Antiques Roadshow*-style valuation at an hotel in Auckland.

The oil of a herdsman and cattle crossing a bridge, set against a wooded background, was brought in by a farmer with nine other pic-

tures. It had been bought originally at the Leger Galleries in London in 1943.

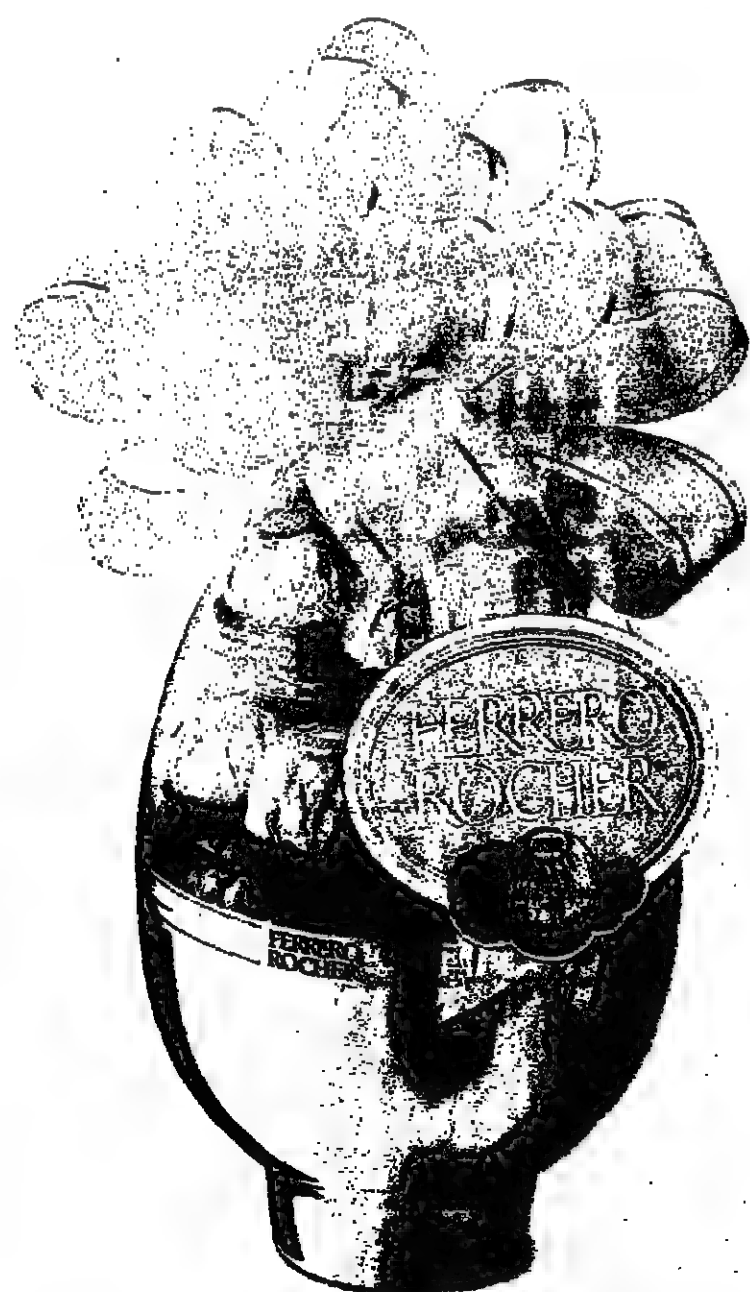
The picture was sent back to London and shown to Hugh Belsey, curator of the Gainsborough House Museum in Sudbury, Suffolk, who dated the work to the 1770s. At the time, Gainsborough was experimenting with varnished

drawings in mixed media, including the use of skimmed milk over Bristol lead white to achieve his characteristic white highlights. It was a secret that he asked a friend "never to impart to anyone living".

The picture sold for almost double the £50,000-£70,000 estimate to the art trade and

was the top lot in a 98-lot auction, 70 per cent of which was sold for just over £1 million.

The sale included a portrait of Elizabeth Inchbald, by George Romney, which made £76,300. She was a farmer's daughter from Suffolk whose literary output is thought to have inspired Charlotte Brontë's classic *Jane Eyre*.



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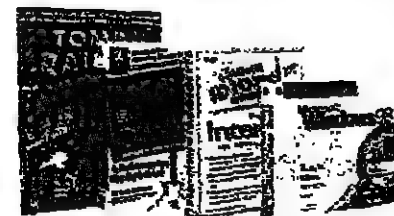
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Lawrence judge offers his defence

In his first interview since the report on teenager's race killing, Sir William Macpherson talks to Magnus Linklater

Macpherson talks to Magnus Linklater

THE past four weeks have been tough going for Sir William Macpherson of Cluny. As a retired judge, he has been accused of racism, of being hostile to criticism, some of it hostile, some of it plain offensive.

He has been accused of pandering to black opinion, of branding the Metropolitan Police racist, and of seeking to reduce personal privacy in a vain attempt to influence racial attitudes. Despite the fact that Jack Straw, the Home Secretary, is likely to accept all but a handful of his 70 recommendations, the impression has been left that some of his ideas were naive, or simply unworkable. And rightwingers have accused him of abandoning judicial objectivity in the interest of political correctness. To none of this has he yet felt able to reply. Like most judges, he believes in maintaining the detachment of his office and allowing his report to speak for itself.

Now, however, he has decided that some of the charges require an answer. He concedes that the Lawrence report was always going to be "a poisoned chalice", but he believes that it has prompted an important debate on race. "My shoulders are broad enough," he said. "I did not hold back and I never would. I think that the case itself and the report have sparked off the most extraordinary debate and a reaction that I didn't expect in the beginning. But I hope it has been a healthy debate, and I'm optimistic about the outcome. People have become alive to the fact that there is a problem."

To have 90 per cent of the recommendations accepted is

heartening to me. I have been a little disappointed at the stress placed upon two or three of them that have been heavily criticised. But I don't think that has taken away the thrust of the report.

Perhaps the most controversial conclusion of the report was that the Metropolitan Police were guilty of "institutional racism". It posed a dilemma for Sir Paul Condon, the force's commissioner, who was forced to accept the verdict against his own instincts. Sir William argues that it was not intended to brand every officer as racist, and points out that it and its sister phrase "unwitting racism" were used by Lord Scarman in his report on the Brixton race riots in 1981.

"The suggestion that we dreamt it up and have imposed it on this particular case is just not right. I fully under-

stand the commissioner and others who do not like labels, but we said that the concept could be summed up as the collective failure of the organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin.

"We put it that way because we wanted to get across the distinction between the 'bad apples' of Scarman — the few individual overtly racist officers — and those who support a culture within an organisation such as the police force without intending to do so. I believe we have made it crystal clear that we are not saying that, because we call the Metropolitan Police institutionally racist, every policeman is a racist."

"What we observed is that there are pockets of racism, perhaps particularly in the

lower ranks of the police force and the canteen. There are people who support each other in what happens without really being fully conscious that they are doing it. But that was never intended by us to be an insult to the officers." He added that, where an officer refused to accept evidence that an attack was purely racist, it could affect his approach to the case. "It's thoughtless, it's ignorant, it's unwitting racism."

He believes firmly that such an attitude can be eliminated, provided the problem is confronted. "If, as has happened, people are made to look inwards on themselves and examine exactly what is going on, then I believe it can be eliminated. The report was intended to be optimistic along those lines. Once you accept something, then you can deal with it."



Sir William Macpherson at home yesterday: "To have 90 per cent of the recommendations accepted is heartening"

stood the commissioner and others who do not like labels, but we said that the concept could be summed up as the collective failure of the organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin.

"We put it that way because we wanted to get across the distinction between the 'bad apples' of Scarman — the few individual overtly racist officers — and those who support a culture within an organisation such as the police force without intending to do so. I believe we have made it crystal clear that we are not saying that, because we call the Metropolitan Police institutionally racist, every policeman is a racist."

peal to permit a second prosecution in a racist case after an acquittal, if new evidence emerged.

This challenges a basic presumption of British justice — that no one can be tried twice for the same crime. Advances in forensic science had strengthened the argument. "Three of these men were acquitted because there just wasn't the evidence for them to be convicted. They are, therefore, deemed to be fireproof for ever." If, however, new DNA evidence had emerged linking one of them to the killing, Sir William thought it right that the case should be reopened. "It would have to be done with strong safeguards, and therefore the occasions would be very rare."

Sir William also defended his argument that the victim of a racial attack was the best judge of its motive. He said the police accepted that view, with the Association of Chief Police Officers defining a racial inci-

dent as one "in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person".

"We discovered that many officers had no idea this definition existed," he said. "We simplified it and turned it round. We believed that it was very important that the victims in these cases should be put first."

So how did he view the accusation that he had been the wrong man for the job; that as a judge based in rural Scotland he was incapable of making a proper assessment of racism on the streets of South London? "Yes," he grinned, "the allegation has been made that I was just an old Scot who knew nothing about young black men in Greenwich, that my record on immigration cases was open to criticism, and that therefore, I leaned over back-

wards the other way in the conduct of the inquiry."

"But why shouldn't I have done it any more than anybody else? I was fresh to some of the arguments about racism, but then so would most people be. All I can say is that I have done my absolute best to be objective throughout, and to listen to the evidence, and to decide everything on what we have heard. It wasn't a selfish adventure into what we thought ought to happen."

How has it changed his views on racial attitudes in Britain? "It has not made me more pessimistic about human nature. True, the racism of those young men was worse than anything I've seen in that field, but it is not the first time that my eyes have been opened. I have learnt an extraordinary amount from my experience, particularly in connection with racism. That comes from being a judge. That's your job. That's what you do."

WHAT HIS CRITICS SAID



Making racist comment in private a criminal offence "would be explored and probably rejected as impractical"

— Sir Paul Condon, Met Police Commissioner



A change to the double jeopardy rule was wrong because there had to be a finality to criminal proceedings

— Imran Khan, Lawrence family solicitor



Drawing up league tables for schools based on the number of racist incidents "amounts to naming and shaming head teachers"

— David Hart, NAHT general secretary



The inclusion of some informants' identities and addresses in the report's appendices was a "catastrophic error"

— Clive Efford, Labour MP for Eitham

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Lessons at four put 'too much stress on pupils'

PRESSURE on children to begin reading and writing by the age of five is breeding a generation of over-stressed youngsters and turning boys off learning, primary school teachers said yesterday.

Children were becoming so regimented that some schools had "playtime lesson plans" in which classroom assistants observed pupils' socialisation, the Association of Teachers and Lecturers was told.

Others were having home tuition at the age of five to boost their results in national tests. Delegates to the association's conference in Harrogate urged ministers to rethink a "foundation curriculum" to be introduced in nursery and reception classes next year. Children as young as four will be expected to play simple number games and take the first steps towards literacy and attempt punctuation.

Shirley Blackman, of Wellesley First School, in Norwich,

Teachers claim that foundation curriculum is turning boys off learning, reports John O'Leary

said that Britain was moving towards a Japanese-style education system for the young, with potentially damaging social consequences. Boys were most at risk because even many bright pupils were not ready to start formal education at the age of four or five.

Mrs Blackman said that middle-class children were under most pressure. "In some streets, the child is a status symbol. Parents want their children to succeed and they have to keep up with the

children over the road who are learning to read."

The conference, which had expressed concern at the prescriptive nature of the Government's literacy and numeracy strategies, overwhelmingly supported a motion urging ministers to reconsider the age at which formal education should start. Ms Blackman said that boys' later development inevitably meant that a higher proportion were not ready to read at four or five, although they would succeed easily at six or seven.

"Many of them are bright, inquisitive, wanting to learn and with quite an extensive general knowledge," Ms Blackman said. "What detrimental effect would it have to stymie these pupils according to their reading ability - the latest trend encouraged in our larger primary schools?"

Glynne Rowlands, of Woolgrove School, in Leitchworth, Hertfordshire, said that he had noted a growing trend towards home tutoring, often aimed at ensuring that children were set in high-ability groups when they transferred from primary to secondary schools.

He said that colleagues at other primary schools had described playground observation of their children, in which tick sheets were used to assess social development. "It is something else to write a few sentences about in reports."

Alison Sherratt, of St Mary's C of E First School, in Bradford, said that, even in nursery school, "infinitely challenged" parents wanted to cram children for national tests two years later. "We have to educate these parents to cool it and let these children have fun while they can."

Delegates supported calls for official research into the benefits of the later start to formal education in other European countries, Australia and the United States.

April 1 heatwave forecast - no fooling

By SUSIE STEINER

BRITAIN will bask in the hottest start to April for almost a century, prompting a mass Easter exodus to the coast.

Temperatures are forecast to soar above 20C (70F) and could match the record for the hottest April 1, set in 1907 when Cambridgeshire enjoyed 22.6C. However, the tantalising pre-holiday heatwave will cool off slightly over the weekend, with sea breezes cooling hopes of a seaside break.

The Met Office is predicting temperatures of 15C to 18C for inland regions, while coastal areas will be a few degrees cooler, dropping to around 11C along northern seashores. A spokesman said the long weekend would be "a little chillier with less sunshine, but the temperatures will still be around four degrees above average".

Although it will be hottest inland, holidaymakers are still expected to head for the coast today and tomorrow. The English Tourist Board has predicted 1.2 million Britons will embark on trips within the country, spending about £130 million. "The majority of people, as with most years when the weather is good, will head for the coast," a spokeswoman said.

Mark Smith, head of tourism development for Eastbourne, said that extra staff were being brought in to the seafront kiosks, which normally do not open until the summer season. The resort is preparing for 30,000 visitors. "We are expecting one of the busiest weekends ever," Mr Smith said. "Last weekend set a record - we have never had a busier pre-Easter weekend and it was because of the exceptionally good weather."

Blackpool, its 2,000 hotels, guest houses and flats filling up with last-minute book-



Easter extravaganza: designer Frederick Fox arranged this daffodil and organza bonnet at his London studio yesterday

ings, is bracing itself for 250,000 visitors. "Things are looking very good at the moment," Jane Seddon, the town's head of tourism, said.

The AA is predicting an early start to a heavy rush hour this evening. "We are expecting more people on the roads than last year for sure," a spokesman said. "We are advising people to make sure their cars are roadworthy - for some people this will be the first major trip they have done since Christmas."

The AA is forecasting jams along the main routes leading to Devon and Cornwall, the Lake District and Wales. Traffic is likely to be heavy around the big theme parks, such as Alton Towers in Derbyshire, and Chessington World of Adventures and Thorpe Park, both in Surrey.

A further 1.5 million holidaymakers are spending Easter abroad. More than 800,000 of them will fly out this weekend, according to the Association of British Travel Agents. About half a

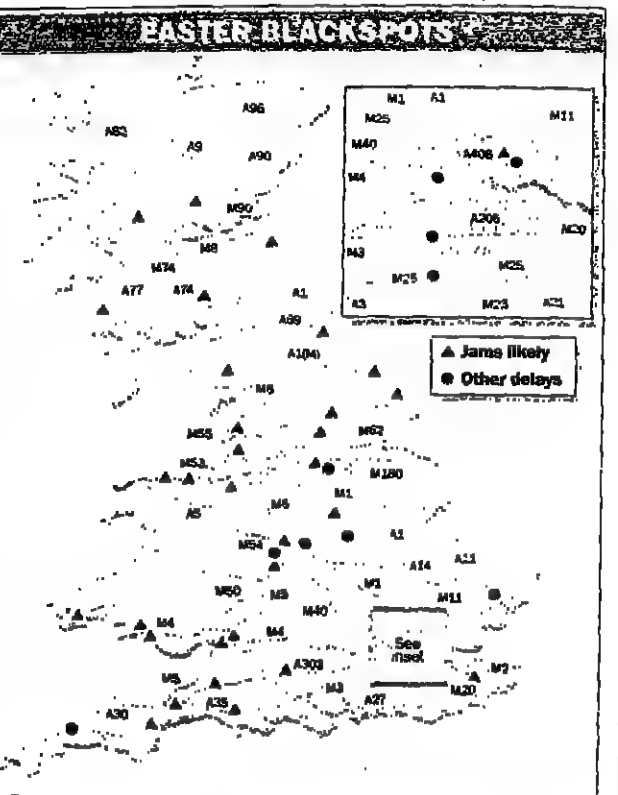
million Britons are expected to travel under or over the Channel to France, taking advantage of duty-free shopping while it still exists.

The top destinations for long weekend city breaks are Paris, Dublin, Amsterdam and New York. Those taking more time off work are heading for the Canary Islands, Spain, the Balearic Islands, Florida and the Caribbean.

The British Tourist Authority is preparing for an invasion of more than half a million overseas visitors during Easter week, with an increase from France, America, Germany, Ireland and The Netherlands. The influx is expected to boost Britain's economy by at least £240 million as they head for the tourism hotspots in London, Edinburgh, Oxford, Cambridge and Brighton.

Some will no doubt find their way to the banks of the Thames on Saturday to join the 250,000 spectators watching the boat race.

Forecast, page 28



Call for inquiry into Woodhead 'affair'

By JOHN O'LEARY, EDUCATION EDITOR

HEAD teachers made a formal request to Tony Blair yesterday to start an inquiry into whether the Chief Inspector of Schools lied about his relationship with a sixth-former during his days as an English teacher.

John Dunford, general secretary of the Secondary Heads Association, said in a letter to the Prime Minister that the credibility of Chris Woodhead as leader of the Ofsted inspection agency was being undermined by a series of allegations of an affair.

"It is surely a matter of concern to you and to the head of the Civil Service that, despite the chief inspector's consistent

denials, unanswered questions should continue to be asked in the public domain about a senior public servant," Mr Dunford wrote.

His request followed claims by five of Mr Woodhead's former colleagues at Gordano School, in Portishead, near Bristol, that an affair with Amanda Johnston had been an open secret at the school. Mr Woodhead and Ms Johnston insist that their nine-year relationship did not begin until both had left Gordano.

A spokeswoman for the Education Department denied that the Government had received a dossier of information about the alleged affair.

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Mayola Williams after the verdict yesterday

Tobacco firms risk ruin after \$81m death suit

FROM GILES WHITTELL
IN LOS ANGELES

AN AMERICAN jury's decision to award \$81 million (£50 million) damages to the family of a dead smoker could pave the way for thousands of similar lawsuits that experts said yesterday threatened full-blown disaster for the tobacco industry.

The stunning verdict against the Philip Morris Company, consisting of \$1.6 million in compensatory damages and \$79.5 million in punitive damages, was the biggest of its kind and came in a state where product li-

ability cases are notably hard to prove. Mayola Williams sued the tobacco giant, accusing it of systematically lying about the risks of smoking, when her husband Jesse, 67, a janitor in Portland, Oregon, died of lung cancer after smoking Marlboro cigarettes for 40 years.

For the second time in two months, jurors rejected out of hand the company's defence that those who decide to smoke should accept the consequences of their habit. In the earlier case \$51 million in damages were awarded to a living lung cancer victim in San Francisco,

where "consumer friendly" laws and progressive courts often produce verdicts that are overturned on appeal. But in Oregon a tobacco firm must be found at least 50 per cent liable for any death or injury before damages are warranted.

With 400,000 smoking-related

deaths a year in America, the two verdicts, even though they will be appealed, amount to a warning for so-called Big Tobacco that lawyers may yet bring the industry to its knees as they did the asbestos business in the 1970s and 1980s, analysts said.

"A limited number of verdicts is no problem at all," Professor Gary Schwartz of the University of California said, noting that \$80 million represents barely two days' revenue for Philip Morris. "But if these are harbingers of large numbers of verdicts, then that's disaster for the industry." The company's share price sank

nearly 10 per cent on news of the verdict. Other American tobacco stocks also lost ground, signalling a realisation on Wall Street that last year's \$246 billion settlement between the industry and state governments to cover smoking-related healthcare costs over the next 25 years has by no means ended the legal onslaught on tobacco. "The industry has got to get its head out of the sand," one expert said as Mrs Williams celebrated her win, which she said granted her husband's dying wish. "He wanted to make cigarette firms stop lying about smokers' health problems."



Jesse Williams: smoked for more than 40 years

'Terminator' faces execution

Ukrainian wiped out whole families in three-month spree of violence, writes Alice Lagnado in Moscow

ONE of the world's worst serial killers, Anatoli Onoprienko, was convicted by a Ukrainian court yesterday on 52 charges of murder. He may receive the death sentence.

Onoprienko, 39, has confessed to killing 52 people, most of them in a three-month period before his arrest, in April 1996. He has never shown any signs of remorse. "I am a normal person," he told NTV television yesterday.

The trial in the western town of Zhitomir lasted four months. Onoprienko was nicknamed "the Terminator" for his shockingly brutal killings of whole families. Russian television yesterday showed gruesome pictures of families he had murdered.

His usual method was to travel the countryside by train, shoot front doors off their hinges, shoot the men and knife the women and children and set their homes on fire. Onoprienko, an orphan, singled out children in particular, mutilating them.

When he went on trial in November 1996 hundreds of people travelled miles to attend the hearing, shouting abuse at the killer. He displayed nonchalance about the court proceedings.

Onoprienko was caught because of his careless behaviour when police called on him with a search warrant and asked to see his documents. He tried to grab a hunting rifle but was too slow — and later this was found to be his weap-

on of destruction. Before his capture about 2,000 police, thousands of national guards and 3,000 troops had hunted the killer.

Onoprienko, a former forestry student, has never shown any remorse for his brutality. He puzzled psychiatrists because he appeared to have no motive.

Police dealing with the case have said that, unlike most serial murderers, he had no sexual motive and was not suffering from any mental illness, but was intelligent and aware of his actions.

Onoprienko has said that he feels he is a robot, driven on to commit murders by an unknown force, and that he should not be put on trial until the source of this force can be discovered.

During his first court appearance in 1996, he burst out: "This is your law. I consider myself a hostage. Is that clear?"

After his arrest he told a Ukrainian newspaper: "I know it's all very cruel... I am ready to spend my whole life in prison to understand. Or to be shot. Of course, I would prefer to be shot because nothing in this life interests me."

His mother died when he was four and his father and elder brother gave him up to an orphanage at the age of seven. Some experts have said they think Onoprienko tried to destroy so many families because his own childhood was



Some experts believe that Anatoli Onoprienko, an orphan, destroyed families because of his unhappy childhood

so unhappy. During his killing spree he stole personal trinkets and photographs. The law enforcement authorities in Ukraine believe Onoprienko committed far more

than 52 murders, because of a six-year gap in the 1990s when he wandered around Western Europe, without visas, and robbing people to survive. It is unclear whether he will

be given the death penalty. There has been a moratorium on capital punishment in Ukraine since March 1997, in accordance with Council of Europe regulations. Under Ukrainian law, condemned prisoners are executed with a shot to the head. Given the revulsion felt towards him in Ukraine, putting Onoprienko in a prison cell for the rest of his life will probably cause an outrage.

His trial was postponed because of the difficulties in finding the money to cover travel and living expenses for the 400 witnesses to travel to court.

With Ukrainian courts having no money for such expenses, judges eventually went on

national television to ask for help and the Government found £30,000 to cover the costs.

Onoprienko also exploited an article in Ukrainian law which allows suspects to read all the evidence against them before the trial begins. In his case the evidence amounted to 99 thick volumes.

In recent years Russia has replaced the United States as the country with the highest rate of aerial murders.

Ukraine seems to be especially unfortunate. Onoprienko was arrested shortly after Andrei Chikatilo, the cannibal killer who murdered 53 people, was executed in 1994.

WORLD IN BRIEF

Indian exiles win visa-free entry

Delhi: India is granting visa-free entry to "persons of Indian origin" living overseas. On payment of £620, they will be issued with a card valid for 20 years, aimed at "making their journey back to their roots simpler, easier and smoother", the Government announced. An estimated 15 million people will be eligible for the card, which is open to anyone holding a foreign passport and can claim Indian ancestry going back four generations. People from Pakistan and Bangladesh would not be eligible "because of problems of illegal immigration", the Home Ministry said. (AFP)

Zoo animals 'have BSE'

Paris: A large number of zoo animals in Europe have been infected by mad cow disease, according to Noelle Bens, a neurobiologist. In one example, she says that, of 26 primates which died at Montpelier Zoo between 1989-1998, five had contracted BSE and a further nine showed signs of the disease. Her study was published in the *Proceedings of the National Academy of Sciences Journal*. (AFP)

Malaysian virus link

An outbreak of encephalitis in Malaysia, which has already killed 76 people, may be caused by a more deadly version of the Hendra virus first identified in Australia five years ago (Nigel Hawkes writes). The difference is that, while that virus did not spread easily between animals, the Malaysian version apparently does. All Malaysian victims were connected with pig rearing and the toll is causing near-panic.

Qantas wary of 'bug'

Sydney: Qantas may not fly its millennium London to Sydney services across the Pacific if it is unsatisfied with Asian plans to tackle the millennium bug (David Watts writes). Services to Asia may be cancelled and interim stopovers in Bangkok and Singapore abandoned. The Asian financial crisis seems to have diverted money from the problem, leaving some flight control and navigation systems exposed.

Kaunda humiliated

Lusaka: Kenneth Kaunda, Zambia's former President, was stripped of his citizenship by a High Court in the Copperbelt town of Ndola. Judge Chalcote Sakala said that, while Mr Kaunda was born in Chinsali in the north, he was a citizen of Malawi because his parents were from there. Much of his 27-year rule was declared illegal, because he was not a Zambian. (AFP)

Debtor kept on leash

Tallinn: A Finn who kept a 40-year-old alcoholic man chained on a dog leash for nine days in 1997 to work off a £1,000 debt was sentenced to five years in prison by an Estonian court, the newspaper *Eesti Päevaleht* reported. Pasi Roininen, 26, from Tartu, denied the charge, and is appealing against the verdict. (Reuters)

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Raising awareness of prostate cancer



recommendation is now to have six-monthly checks. There is a suggestion that for very small aneurysms annual checks — very simply, painlessly, with ultrasound — would be sufficient.

Surgey, which is successful in more than 95 per cent of cases, is usually undertaken when the aneurysm is between 5 and 6cm wide. Aortic aneurysms may be familial, and are sometimes associated with high blood pressure, diabetes, a rise in some types of blood cholesterol and lasting

Intra-arterial plaques: The first aneurysm was successfully treated by John Hunter in 1785. It wasn't successful, and nor was surgery for aneurysms by another great medical name, Sir Astley Cooper. The first successful surgery on the aorta was performed in 1923, 100 years after Sir Astley wrote of his endeavours. After the Second World War huge advances were made in arterial surgery. Surgical techniques with the use of knitted and woven yarn prosthetic hose, which is stitched in to replace the removed weakened walls of the artery, are now very effective. Improved operations and expert anaesthetists together with a thorough assessment of the patient's cardiac state before surgery, have reduced the mortality to 2 to 10 per cent in the best units. One large survey recently showed 6 per cent. In non-specialist units the average mortality is 15 per cent.

It is typical of Senator Dole's open approach to medicine, and his desire to encourage men to have, as he does, regular examinations, that he allows details of his health to be published. Aneurysms can grow insidiously without symptoms, and are often detected only at routine examinations or by chance. Once symptoms occur — a pain felt in the lower abdomen, radiating to the back and with tenderness over the swelling — immediate surgery is imperative.

● **Arterial Aneurysms: diagnosis and management** by Michael Horrocks, published by Butterworth-Heinemann. £55



To encourage men to see their doctors regularly, Senator Bob Dole allows details of his health to be published

EGGS for breakfast at Easter should not cause any health worries. They may have been painted in bright colours, hunted for in the garden, or have come straight from the refrigerator, but whatever their immediate history, if they bear the Lion quality symbol of the British Egg Industry Council, they will have been produced under ideal conditions.

The new code of practice for egg production sets the highest standards in the world. It even carries the blessing of Professor Richard Lacey, the scourge of the food industry, who has approved such measures as the vaccination of hens against the *Salmonella* antibiotic.

Strict hygiene rules are to be enforced in egg farms and packing centres and, it is claimed, the "passport system" is so precise that an egg can be traced back not only to a farm, but also to a hen.

Cardiologists, as well as microbiologists such as Professor Lacey, are again advocating eggs for breakfast. Saturated fat is mainly responsible for a raised



A new code of practice for egg production sets high standards

blood-level of low-density cholesterol, the dangerous cholesterol, in susceptible people — and there is relatively little saturated fat in eggs.

Eggs have been rehabilitated. This is just as well, as one egg provides 14 per cent of a man's, and 17 per cent of a woman's, daily protein, as well as vitamins A, D, E and B and numerous minerals. In the Shuttlesford family, Co-

humbus eggs (slightly more expensive) are used. These bear the Lion quality mark but also have an attractively coloured yolk containing above-average quantities of Omega-3 fats which are reputed to be cardioprotective. This has been achieved by feeding the hens on special grains.

It seems an easy health step to have a medicinal egg for breakfast as well as closer with dinner.

EARLIER this month the Prince of Wales hosted a reception at Highgrove for Britain's leading cancer experts from the hospital and hospice services, together with representatives of the major cancer charities. They discussed the need that people with cancer have for outside support, as well as for guidance on how to manage their health. The discussion was based on a project run between the Bristol Oncology Centre, the Department of Sociology at Warwick University, and the Bristol Cancer Help Centre.

Data were collected from patients in Bath, Bristol, London and Manchester between August

1997 and July 1998, using focus groups and a questionnaire.

The Prince of Wales is patron of ten cancer charities including the Foundation for Integrated Medicine, which works to integrate complementary with orthodox medicine. The Prince said that the Highgrove meeting was an excellent example of how progress can be made when

patients, their companions, and healthcare professionals work together so that no source of possible help is overlooked, and both scientific and non-scientific disciplines co-operate.

The report, *Meeting the Needs of People with Cancer for Support and Self-Management*, is clearly presented, well-produced and contains data from which it draws firm conclusions. Essentially, patients need time to discuss problems. To doctors, these troubles may seem routine. To sufferers, they seem unique.

● Details from the Bristol Cancer Help Centre: 0117-980 9500.

BEEF farmers and butchers are more than a little tired of being the constant butt of health scares. They had a terrible time after the BSE fiasco and their problems since then have been compounded by anxiety induced by outbreaks of infection by *E.coli* O157:H7 and similar strains of *E.coli*.

These organisms are collectively known as the enterohaemorrhagic *E. coli* and are capable of a devastatingly toxic effect on the lining of the blood vessels leading to the gut and, if the toxin is absorbed, on the vessels within the kidney. As a result the watery, later to become bloody, diarrhoea, which is associated with a fever, may in susceptible people, lead to the haemolytic-uraemic syndrome. This syndrome can lead to kidney failure in the very old and very young, and even to death. The victims usually

usually develop in the infection's second week. *The Annals of Internal Medicine*, a distinguished American medical journal, has now reported on an epidemic that may spread the blame to another group of farmers. It seems that the largest American producers of unpasteurised apple juice, with the most modern equipment and rigorous hygiene regime, have recently been suspected of having disseminated the organism, albeit the exact source of the infection was never found. Even so, the *BMJ* reports that the Food and Drug Administration has insisted that all such juices sold in the US should carry a health warning.

Those living in Britain should rest assured that any sudden tummy upset is more likely to be the result of the effect of a meal than the E. coli organism.

Like the accomplished politician he is, Senator Bob Dole has the knack of focusing his energies on to his chosen enthusiasms.

Apart from the duties that one would expect as a former presidential candidate, and the longest-serving Republican Senate leader, he has particular concerns. He is now engrossed in disentangling the chaos of Kosovo, the plight of those in the Balkans with relatives who are missing, and, more generally, men's health, especially prostate cancer.

The Senator's visit to Britain coincided with Prostate Awareness Week and he was immediately interested in the fully subscribed conference organised by the Prostate Cancer Charity, held at the Royal Society. The conference brought together the medical profession, patients who have suffered from prostatic cancer, the patients' families, a minister (Baroness Hayman, Under-Secretary of State, Department of Health) and the media. We all benefited from a vigorous exchange of views, aims and worries.

Senator Dole has spoken frankly on television about the diagnosis of his own prostate cancer, removed by radical prostatectomy in December 1991. Since then he has delighted the American medical profession by exhorting men over 50 (or over 40 for those with a family history) to have a regular *digital rectal exam* and test the *PSA*.

He has surprised, and pleased, doctors and the lay public by openly discussing his own post-operative problems of impotency — now relieved by Viagra. After surgery, standard remedies for erectile dysfunction were unsatisfactory, but, as he says, he may not have given them a fair trial because it is difficult to give oneself an injection, or to insert a pellet, if one is suffering from hand injuries. He tried yohimbine extracts made from the bark of an African tree, but only Viagra helped.

Since Bob Dole started to speak publicly about the prostate, hundreds of men have telephoned to consult him about their own problems. The Senator has described in a press release how his tumour had been detected during a routine physical examination, and confirmed by his PSA estimate, transrectal ultrasound and biopsy.

When he was admitted to hospital, scores of fellow sufferers sent him letters and flowers. His first reaction on being told that the biopsy was positive was to disbelieve it because he felt so fit and had no urinary tract symptoms. Only when the diagnosis had been confirmed by another pathologist did he accept it, and then his desire was to "get the cancer out of him and into a jar" as soon as possible.

Senator Dole had no complications post-operatively, other than the impotence. When he was in the Army the Senator had become accustomed to regular health checks of blood pressure, blood and urine tests, and heart examination. He and his wife now have a stand at the Kansas State Fair every year, where they extol the virtues of these regular health checks for men as well as for women.

Senator Dole's routine examination saved his life — he would like British men to have similar tests, thereby saving some of the 9,000 English and Welsh lives now squandered (Scottish statistics are collected separately).

**LAST CHANCE!
EASTER WEEKEND
ENDS 5pm EASTER MONDAY**

[illegible]



The Yusof family, from left: Sufiah, father Farooq, Noraisha, Iskander, Zuleika and mother Halimahtun. Isaac, the 17-year-old entrepreneur, is missing

Brains of Britain

The advanced algebraic equations flow smoothly on to the page as Zuleika Yusof works through an A-level maths textbook. As I peep over her shoulder she maintains the concentration of one due to sit A levels in maths next year and begin university that autumn.

The session over, Zuleika gets up from her desk, chases her cat across the room, then bounces on her brother's bed, drumming her heels on the wall. Strange behaviour for a putative undergraduate of 18 months' time — but Zuleika turned 5 in January.

Her academic progress is so rapid that she is being assessed every month by her parents, Farooq, 41, and Halimahtun Yusof, 42, who have taught all their children at home. All five could read by 2, and Sufiah, now 14, equalled Ruth Lawrence's record of enrolling at Oxford University at 13, though she was ready four or five years before that, says Mr Yusof.

Iskander, 12, and Noraisha, 16, are at Warwick University. All three are reading mathematics. Only the eldest, 17-year-old Isaac, is not yet at university, though he sat his A levels at 15. He is showing signs of becoming an entrepreneur: "He'll be the first to make a million," says his mother.

But it is doll-like Zuleika who most astonishes. She has just read *Huckleberry Finn* and recently zoomed through a Roald Dahl in 20 minutes — "but she had read it before," says Mr Yusof.

"If she's not at university until 8, that might not be too late but we hope she will soon be attending Warwick with her brother and sister," he adds.

Though her work in maths is carefully structured, other subjects are approached almost arbitrarily but pursued in depth. She became interested in dinosaurs after a trip to the Science Museum and told me how a meteor wiped them out by destroying the food chain. Having studied human anatomy, she drew an outline of a dinosaur then placed all organs within it. She once wanted to be a palaeontologist but is now enthralled by horses. "I want to be a riding-school instructor," she says.

Like her siblings, she rarely mixes with children of her own age. "Sometimes you feel it's an injustice: we are imposing on her," says Mr Yusof. "But children have taken books from her hand and torn them." Mrs Yusof, who directs the children's education until the pre-university stage, says: "If chil-

A family of five taught at home have become mathematical prodigies. Report by Moira Petty

dren make noise in the library, she says 'How dare they? She sounds quite pompous but she wants to focus.'

Mr Yusof says of teaching his older children: "I may have made too many demands in terms of time, maybe we could have done things differently. Now we have the opposite worries. The other night Iskander was studying until 4am and I did wonder if that was right for a 12-year-old. He wouldn't even come down to watch *Horizon*. They certainly haven't time for soaps, and you won't find records in their rooms."

Mr Yusof came here from Pakistan aged 6. His father was an academic and he himself gained a scholarship to Magdalen College, Oxford, to read maths. He met his future wife, who is from Malaysia and a chemistry graduate, when both were doing research at Hull University.

They put their first two children in the university nursery when they were toddlers. "From birth we made efforts to introduce them to letters and numbers," says Mr Yusof. "They soon showed signs of wanting to read." There have been no behavioural problems.

"They were welcomed wherever they went. Other parents tried to model their children on them and there were invitations in the hope that they would exert peer influence. People think we spent hours with them but they occupied themselves."

When the three eldest were 8, 7 and 5 they were enrolled at a state primary. "That lasted three months," says Mr Yusof. "The school tried to make provision with extracurricular activities. They made Sufiah, who was 5, take responsibility for helping older children. She had written a CV about herself before starting and the staff took her to their hearts. At 8, Isaac was working through the maths GCSE syllabus."

In 1987 Mr Yusof gave up full-time work and, surviving on family money and savings, began to teach at home. He will not reveal his techniques in full but says: "We were restricted financially so we had to find creative means to get results. We made huge three and four-dimensional figures and later

most of the work was done on a blackboard in the sitting room. There were no timetables or targets. There was always time for cuddles. We take account of their needs and are there for them."

"Libraries were a second home. If they wanted to read Enid Blyton, they were allowed to. We would exercise care only if they started to internalise certain undesirable practices in the use of English. As they've got older they sometimes don't want us to interfere; they need to make their own mistakes."

There have been no problems with his children going to university. The family met Ruth Lawrence when Sufiah applied "off her own bat" to Oxford. "Ruth said Sufiah should see Oxford as a challenge."

The Yusofs are Muslims, and believe their faith and family values help the children when faced with the temptations of undergraduate life. "Alcohol and drugs were never part of their lives. We trust our children and no subject is taboo. We don't want them walking into areas through ignorance. Sex is subject to limitations of their ages. As a family we have hobbies and a lot of our time is spent with friends and family."

The four older children are also ranked among the top ten junior tennis players in Britain. Before "maths took over from tennis", as Mrs Yusof puts it, the children went to tournaments without their parents. "You get partisan crowds and they learnt to survive or sink. If we have fears for their safety, they giggle, shake their heads, then off they go," says Mr Yusof.

He adds that his children often outwit him. "Sufiah plays mental games with us and makes us feel past our sell-by date. Prove this, establish that, she says. If I find books hung around in her room, she'll pick me up on chaos theory and tell me there is a structure there."

When Noraisha and Iskander joined Warwick, chosen for its reputation in maths, the family left Northampton and moved into a rented semi opposite

the campus in Coventry. Noraisha, "very much a social creature", has a circle of friends "who pour out their troubles to her. She has a divergent personality — very creative. When she was little she would leave footprints all over the carpet, painting with her feet."

She is interested in biological sciences and is building mathematical models of blood and tissue. Before it accepted her, Warwick tested her on subjects like genetics.

Iskander rushes past on his way to a lecture with a police grant. "He is too busy for more than monosyllables," says Mr Yusof. "He's a mathematician's mathematician."

Noraisha went through a phase of "wanting her hair cut a certain way" but none of the girls now cares about fashion. But Mr Yusof says: "We are keen to present ourselves as being normal. We don't want labels put on us."

The family is fiercely competitive. Zuleika asks her siblings for their university assessment marks, sometimes pronouncing: "Can't you do better than that? I'll write to your professor." Sufiah, when tiny, raced her uncles to complete a jigsaw, but did it upside-down. Zuleika recently dragged a stool into the toilet as a prop for a book. "Like the others, she won't waste her time just sitting there," says Mrs Yusof.

They were recently invited on a lecture tour of Malaysia, where they talked about their life before audiences of thousands. There have been requests from education ministries overseas to give advice and offers of funding so they can set up their own institution. "We feel we can help the population at large, and improve universities' methods," says Mr Yusof.

The family may move to America — "we're considering Harvard for post-graduate study" — but already the children have been approached by multinational companies. Zuleika, meanwhile, plays with a toy while explaining the difference between carnivores, herbivores and omnivores. Already she is at home on campus; she has joined the maths and Malaysian societies. There is little doubt that she will shoulder responsibilities earlier than most children. Mrs Yusof says: "I feel a loss because my children are disappearing quickly. Most mothers lose them at 18; mine are going out into the world younger and younger." She looks downcast, then brightens: "But we'll have all the grandchildren to look after and educate."

'Cut my belly open noo'

Scots women talk about motherhood and fashion in an oral history edited by Colin Bell

BETTY: I had my first baby in the house, and the wee midwife, Annie, would sit with the bag hanging from her mouth, and my mother kept giving her tea, and I'm going "Oohhh it's sore" and she'd say, "Oh, I know it's sore, hen," and kept smoking the bag. My mother couldna watch me any longer and went outside, and my Aunt Rose came in and knelt at me wiping my brow. Just before Elaine was born I felt this urge to push and I went. Right, nurse, I'm ready. You can cut my belly open noo." She says "Ya silly bugger, it comes out where it went in." That's how much I knew about childbirth, and I was 20.

SHEILA: Up in Ross-shire my granny got pregnant and my mother never knew 'til the day she died who her father was. My granny was sent to a farm where the farmer's wife took in unmarried mothers for their confinement. They were there for three or four weeks and then taken back. Then it was my mother's granny that brought her up. But ever after, this was a stigma for the rest of her life, and she always had this sort of chip on her shoulder that she never knew who her father was because nobody talked about it.

CAROL: I can remember being friendly with a family in the 1960s and the girl got pregnant and she disappeared. She just disappeared mysteriously for six months or whatever, came back and then got pregnant again with-

in a couple of months. It was a fairly disastrous story, even then in the swinging 1960s.

MARY: I can remember I did a late shift at the mill and I can remember my husband bringing my son, who was about one year old at the time, along for me to come out the mill to change his nappy because it was a dirty one. He wouldn't change that although he'd have changed a wet one. I came out the mill, changed the nappy and went

were called up, who were killed. I was the first of the happy generation.

Girls just five years older than me were biting their nails and they were having affairs because of this "you might never see me again", which was the biggest aphrodisiac in the world. But I was lucky, I was the new wave — the New Look, the new wave, the peace, it really was a champagne time.

NICOLA: I remember when I was about five or six years old in the early 1980s, leg warmers were a big thing, and I had loads of colours of leg warmers.

Nowadays, in the 1990s, I think you can categorise people and it still goes by music. I think I like a lot of old 1960s and 1970s music, so I wear all my Dad's old clothes and I go to all the second-hand shops. If you look at somebody in the street you can say whether they go to this club or that club. Or if you see a girl with sort of long hair, looking very feminine, you think she goes to that club. You can categorise people.

A lot of the clubs that I go to, they wear the sort of 1970s clothes and play 1970s music. Look at the new hippies — it's quite a backward attitude I think.

● *Extracted from Scotland's Century edited by Colin Bell, to be published by HarperCollins on April 6 (RRP £19.99). Times readers can order a copy for £15.99 from The Times Bookshop on 0990-134 459.*



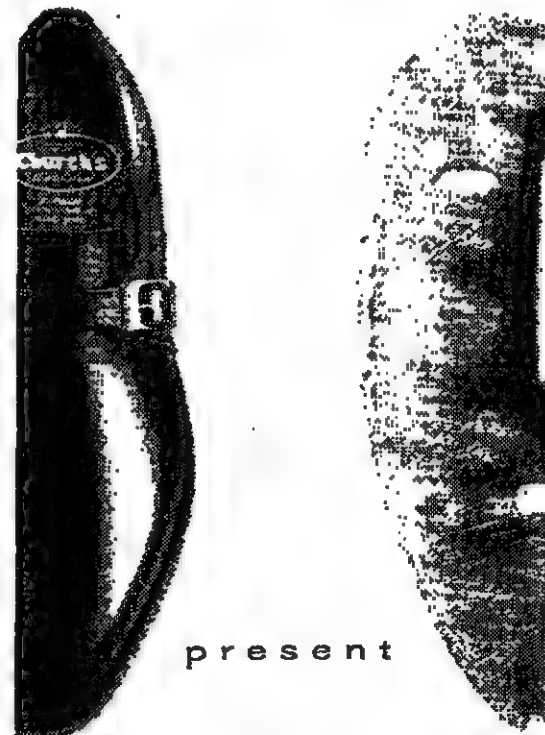
back to work and he took the baby home.

NOREEN: At the end of the war when I was 16, we went into the New Look. Every one was shocked with the New Look at first, everyone being used to uniforms — even the women wore uniforms — and suddenly these long, floaty skirts and cinched waists went to our head like whisky. First of all we were shocked, and then you had to get it. It was wonderful, it was like a release.

I was lucky, I was the generation that was coming up. My sisters' generation was the generation whose boyfriends



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SELFRIDGES

Scotland the Brave turns topsy-turvy

This war is challenging old loyalties, says Angus Calder

Tony's one of my very oldest friends. We used to play darts together in a pub in Croydon where we were schoolboy members of the Campaign for Nuclear Disarmament. He's now a prime mover in Scottish CND. So when he phoned up the other night, my first thought was that he was going to alert me to some important demonstration over Nato's bombing campaign. Not so. Once I had asked rather apathetically if anything like that was happening in Edinburgh, he proceeded to extol the Scottish Chamber Orchestra's series of Beethoven concerts.

Tony's reaction, for me, exemplifies how the current crisis has topsy-turved political responses. Tony has been on many demonstrations but I don't think he would feel any more comfortable than I would turning out alongside even the mildest Serb.

We have watched on our televisions the strange spectacle of every "responsible" politician backing the Nato strikes while almost all talking heads with any expertise — retired generals, military analysts and historians, Lords Healey and Carrington — have pointed out that the only way to secure control of Kosovo in the interests of its Albanian majority is to push troops in on the ground.

Only in Scotland has an opposition leader gone further than the qualified murmurs of criticism. Alex Salmond, of the Scottish National Party, has declared that Nato's policy is of "dubious legality" and "unpardonable folly".

In his broadcast reply to the Prime Minister's statement on the war, he appealed to a well-remembered incident in Scottish history while arguing that bombing campaigns stiffen rather than soften popular support for leaders. His analogy with the blitz of the industrial town of Clydebank in 1941 was not, however, well-chosen. There is a world of difference between shipyard workers getting swiftly back to work when almost every house in their town has been damaged and the bombing of Serb killers in the field.

And Mr Salmond's proposed alternative policies were not persuasive. He did not join the expert consensus which says "put in the ground troops". SNP policy is to apply a full-scale economic blockade of the Serbs and to police the Rambouillet accord with United Nations rather than Nato troops. This policy might just conceivably have worked six months ago. It is surely unrealistic now, and this mental lurch back towards less alarming times will make it difficult for Mr Salmond to capitalise it, as seems all too likely. Nato's current policy fails so obviously that public opinion turns.

So what was Mr Salmond up to? My own impression was that he was grimly sincere. He is normally the cheekiest and most buoyant of politicians. Not this time. He leads a party long committed to getting Trident missiles out of Scotland and largely overlapping with what might be called "CND sentiment". A lot

of his membership will be strongly behind him in spirit. However, as a politician in the run-up to the elections for the first Scottish parliament, he was, in effect, gambling. If the SNP is to challenge Labour for power in the new parliament it must break outside its current ghetto. Its heartland lies between the Tay and Moray Firth. This is "Scotland the Brave" country. It includes both RAF Lossiemouth and the proud traditional recruiting-ground of the Black Watch and Gordon Highlanders. Mr Salmond's own constituents — farmers, shopkeepers and fishermen — aren't CND types at all.

Where Mr Salmond might hope to gain votes is among disgruntled Labour supporters. The term "old Labour" is confusing here. When Labour conquered Lowland Scotland in the 1980s, it drew support from middle-class radicals who in England might well have voted Liberal while supporting CND. The SNP is less likely to be tilting its cap towards the machine politicians of Strathclyde so obnoxious to new Blairites than in the direction of teachers and nurses sickened by the desertion of old socialist objectives.

Mr Blair is perceived as authoritarian and insensitive, almost as disliked as Margaret Thatcher. By reminding left-wing voters that the CND banner flutters next to the SNP salute, Mr Salmond is true to his own traditions, but he also hopes to rally those who once marched behind the red flag.

Scottish Labour may enjoy a poll lead over the SNP apparently large enough to make it the biggest single party at Holyrood. But it is vulnerable on traditional flanks. The economy is in a debatable state. Job losses are indirectly through the experiences of the party's control. And so, it seems, is the morale of activists.

The SNP outperformed the opinion polls in its recent victory in the northeast Scottish European by-election because its own supporters worked enthusiastically and got its vote out; Labour voters wouldn't budge from their TV sets. Disillusionment among Labour activists could mean the party's poll lead is illusory.

But Mr Salmond's principled stand still may not help his party to pick up Labour deserters. When a former CND supporter such as Robin Cook denounces Mr Salmond as "the toast of Belgrade" the charge is unfair, but it plays well in the tabloids. In a situation where Ken Livingstone backs the Nato raids and Alan Clark is against it, "socialist" even "CND" reactions are unpredictable. And if my old comrade Tony and I do not find our usual reflexes responding in this crisis, how many others may find Mr Salmond unconvincing? By letting himself be smeared as soft on President Milosevic, Mr Salmond may have lost more potential converts than he gained.

The writer is author of *The People's War*.

comment@the-times.co.uk



A balm offensive

Bombarding the Balkans with trade and aid could heal ethnic wounds

Am I for or against the bombing? I don't know. I am no expert on diplomacy, or on Balkan history or on military engagements. I have, thankfully, never seen a man being killed, never mind dismembered or shot in front of his wife. Neither have I been in a city under bombardment, wondering if my house would be the next to go and my children would be the next to be burnt alive. How, then, can I possibly have a clear and settled conviction on this subject? And yet I must form a view, not only because it happens to be my job, as a newspaper commentator, but also because as a human being and a citizen I find it unacceptable just to shrug my shoulders and turn away.

What, then, might I have to contribute to the already prolix discussion of this disaster? Just a few personal reflections, drawn indirectly through the experiences of my parents and their families in the holocausts of Hitler and Stalin.

My late father's descriptions of his flight from Warsaw in 1939, with his best friend dying on the road to Bialystok under the strafing of the German aircraft, were so vivid that I dreamt about the war almost nightly when I was a child. My mother was on one of the last trains to escape from the siege of Leningrad before the Germans completed their encirclement in 1941. She told me how they nearly perished because it took so long to persuade her father to leave his home. A former "bourgeois" capitalist who had lost his fortune and been persecuted for 20 years after the Revolution, he refused to believe that the Germans, whom he remembered as honest partners in his pre-revolutionary business, could be any worse than the Communists.

My family's friends and relations who stayed behind in Leningrad died almost without exception, leaving behind only grisly stories, for example about one great-uncle who first ate his dog in the terrible famine, then ate the paste from under the wallpaper of his large apartment and finally ate his dead grandchild before he himself starved to death. This story was related in my family as a commonplace occurrence — the sort of event that was typical in the siege of Leningrad. But despite such incredible suffering among the civilians, the Russian defenders of Leningrad never came close to surrendering the city to the encircling German

forces. Leningrad's amazing resistance was motivated not just by the fear of the secret policemen in every platoon and detachment. The war also inspired a genuine patriotism and — believe it or not — a sincere love for "our great Generalissimo and father of the nation" Stalin. And, as in Germany, the more the nation suffered, the more the people were sucked into this demerited adoration of their mad leader.

For the West to base its entire military and diplomatic strategy on the slim hope that the Serbs would be "rationally" and turn against President Milosevic was almost frivolously irresponsible. Yet the fact seems to be that neither the United States nor Britain had prepared any alternative strategy to deal with the bombing campaign's most probable outcome: that it would entrench Mr Milosevic's domestic position and aggravate his atrocities in Kosovo.

Now that Mr Milosevic has called the bluff of Nato's "Nintendo warfare", attention is suddenly shifting to the serious possibility that Nato will have to invade Yugoslavia with up to 100,000 ground troops. Yet nothing has been done to prepare public opinion, either in America or Europe, for this daunting prospect. Worse still, nobody seems to have thought about the logistics that would make such an invasion physically possible before Mr Milosevic had finished his dirty work of ethnically cleansing Kosovo. Under these circumstances, it is hardly surprising that the Yugoslav leader seems to treat the possibility of a ground invasion (or of his much-touted prosecution for war crimes) as little more than a joke.

What, then, can now be done to retrieve this situation and save the people of Kosovo? Luckily, I am not a politician and do not have to pretend to know. I do think, however, that two principles could

be drawn from experience in trying to devise a more responsible strategy for the future. The first is that, in a war supposedly waged to save the lives of innocent civilians, humanitarian issues must be given at least as much priority as military and diplomatic objectives. Defeating, punishing or even overthrowing Mr Milosevic will be of precious little use if tens of thousands of Kosovans are slaughtered or starved. It is worth recalling that Hitler's defeat did not prevent the slaughter of six million Jews. If Britain, Switzerland and America had been more willing to accept immigrants fleeing Nazi persecution in the 1930s, many more Jews might have been saved.

If the West is serious about its humanitarian motivations in the Balkan conflict, it must put at least as much military and financial effort into helping the refugees as it does into bombing the Serbs. It must ensure that the borders of Macedonia and Albania remain open to the refugees and it must accept full responsibility for feeding and supporting these people — and ultimately of accepting many of them as immigrants to Western Europe. If it were clear that the West was spending two dollars on protecting and helping the refugees for every dollar spent on bombs, I suspect public support for the Nato strategy would become stronger than it is today.

Secondly, the West must have a clearer vision about the sort of societies it is trying to create in the Balkans. A choice has to be made between partitioning the region into ever-smaller racially pure enclaves and trying to rebuild the sort of multi-ethnic societies, albeit in a state of unstable equilibrium, before Yugoslavia began to break up in 1991. Most people's first response, in observing the carnage of the past decade, is to conclude that these warring communities must be sepa-

rated for good. Yet history suggests this may be the wrong approach.

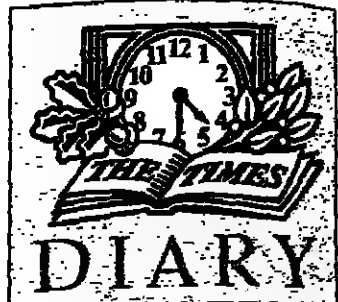
The Indian scholar Radha Kumar, in his book *Divide and Fall: Bosnia and the Annals of Partition*, argues persuasively that attempts to divide intermingled ethnic groups into separate nations have almost invariably perpetuated ethnic hatreds, provoked demands for further partitions and led to a never-ending cycle of bloodshed as extremists have deployed the irrefutable logic of ethnic cleansing: "Why should I be a minority in your country, when I could make you a minority in mine?" This is what has happened in Yugoslavia since 1991 — and before that in India, Palestine, Lebanon, and Ulster, to name just a few of the object lessons cited by Ms Kumar. This experience also shows that the principle of democratic self-determination, proposed by the West as a panacea for all border disputes since the break-up of the Soviet Union, is more often a poison. Hitler was democratically elected by a population anxious to reassert its national identity, and so was Mr Milosevic.

An alternative solution to ethnic conflict is, on the contrary, to create or recreate the conditions in which different ethnic groups are forced to coexist peacefully, and ultimately find it profitable to live in peace. If this seems impossible, it is worth recalling that Yugoslavia was until the late 1990s one of the least authoritarian and most prosperous countries of the former Eastern bloc. It was not a democracy, but the different races did peacefully coexist. To recreate the old Yugoslavia would, of course, be impossible. But the West's ultimate objective must surely be to reintegrate all of the warring Balkan groups into some kind of larger community. This must be based on economic co-operation, backed not only by financial aid but also by the right to sell to, live and work in Western Europe. Instead of just trying to bomb the Serbs into submission, perhaps we should offer them, along with the Croats, Albanians and Kosovans, the carrot of early membership of the European Union as soon as they can show they are again a civilised nation. Fortress Europe should learn to lower its battlements if it wants to build a truly secure continent.

anatole.kalatsky@the-times.co.uk



Anatole Kalatsky



Keeping ahead

THE hullabaloo about the naming of the "headless man" in the Duchess of Argyll divorce scandal of the Sixties is premature. Michael Thornton promised to solve the mystery of the offshore star captured in a Polaroid snap indulging in an after-dinner entertainment with Margaret, Duchess of Argyll. But more than a decade after the author was commissioned to write the study, his publisher complains that the manuscript has "not even been written". Ventures Michael Joseph: "We have no plans in the immediate future to publish. I do not know what has happened to it. All this publicity is not helpful." Bad news, this, for the *Daily Mail*, which seems keen to publish the oldest story in town.

AS Peter Mandelson clambered wearily into a lift, Brian Cotter, a Lib Dem MP, inquired: "You going up?" To which the resting politico responded: "Sadly not."

■ FEMMES FATALES are the latest obsession of Honor Blackman, the leather enthusiast, who is to crack the whip at Ronnie Scott's. The actress is to appear in *Dishonourable Women*, her one-woman show celebrating feminine pragmatism from Eve to Mae West. Oddly, she has banned smoking and drinking for her act. "I discovered that the audience sits at little tables and drinks, eats



and smokes," she says. "A smoky atmosphere is no good for the voice and I'm not used to people clinking glasses while I'm on stage." The club agreed to change its policy and expects Honor's aficionados to do little more than lie back and recall *The Avengers* (above).

IAN MAXWELL is to remarry. The son of the late and dodgy poon, who split from Laura, his lovely first wife, three years ago is engaged to Tara Dudley Smith. Maxwell Jr, who works with his brother Kevin for a publishing company, met the art conservation student at a party in the country a year ago. Susan Gilmore, her Mum, says: "I am thrilled to bits."

■ TEST of the year: persuading Ann Widdecombe to visit Stringfellow. She met Peter at the launch of Father Michael Seed's *Will I See You In Heaven?* He offered her blandishments to meet his angels. Later, Ann ushered Sir Angus Ogilvy and Suggs (of the poppers Madness) out of the house, declaring herself "the bouncer".



OUR Norm has got on his easel. Lord Tebbit is displaying his creative bent by taking up a career as a painter. When asked to contribute a drawing for the "Art for Survival Wildlife Auction" at Christie's, he said: "I could never draw an elephant in my life." But admiring his doodle on House of Lords notepaper, he commented: "I never realised I had such talent."

■ MAJOR Ronald Ferguson has a new role: urging men to get their bits checked. Ron has become a patron of the Prostate Cancer Support Association. "Men are much more wary than women about checking themselves with a doctor," says the galloping major (thankfully in remission from the disease himself). "It is ingrained in the male mentality."

CHRISTINE HAMILTON comes close to condoning adultery in her new role as the Westminster Review's agony aunt. Responding to a future best man who fears the groom will stray, she says: "If you fancy his wife-to-be, keep an eye on the situation. She may need you."

JASPER GERARD

'The British Museum should recognise that the hold of history operates more subtly than the gee-whizzery of science'

Jayne Dowle

It's got more jewellery than Joan Collins, entertained almost as many Americans, and has a facade easily as beautiful, though a little less well-maintained. But the British Museum, the grand old girl of Bloomsbury, lacks the one thing Miss Collins has in abundance — the ability to sell herself to fresh generations without sacrificing her essential mystery. It is a national shame that the British Museum, the repository of countless treasures accumulated from everywhere on earth, is still regarded by many as dusty, irrelevant and dull.

The genius of great British institutions, from the Labour Party, through Longleat to Miss Collins, is the capacity to reinvent themselves while staying true to tradition. The future of the British Museum has been thrown into focus with the appointment of a strong-minded

woman, Suzanna Taverne, as its first managing director. The best way in which she can make the museum more modern is by recovering its very British past.

Whatever Suzanna Taverne does, it would be a tragedy if she turned the British Museum into yet another all-singing, all-interacting playground for 11-year-olds who think the contents of tombs are fit only for plundering by Lara Croft on the PlayStation. While it is important that history and culture are made accessible to as many people as possible, it would be unforgivable if centuries of scholarship and research were sidelined in favour of knobs-on excitement.

The British Museum can, of course, learn from some other institutions that have modernised. But it must be true to itself. The Science Museum has certainly been hugely successful in its attempt to attract younger

visitors through a sophisticated array of interactive exhibits which teach without talking down. But the British Museum should have the confidence to recognise that the hold of history operates more subtly than the gee-whizzery of science. And it can do so by making the most of its Britishness to complement its global collection.

It rises out of Bloomsbury, a massive Greek Revival temple, set in a garish sea of a hundred tourist buses. To most Londoners, who scurry by without giving it a second glance, the British Museum is the place of boring school-trips, and that controversy over the Elgin Marbles. When it was founded, by Sir Hans Sloane in 1753, the Government implored the trustees to admit "all studious and curious

persons". Critics say that it is attracting too many of the former and not enough of the latter.

It is still the most popular museum in London, with six million visitors a year. But 60 per cent of its visitors are from abroad. Foreigners seem to love the British Museum; to them it is Ancient Greece, Rome and Egypt all rolled into one with a roof over it. The problem is not the visitors themselves, but the wrong kind of visitors. A new emphasis on the Island Story of Adventure that binds the collection should be made to attract a new generation of Britons.

A sensitive policy of openness, information and education is what is required. Ms Taverne should encourage the shy and retiring

types who inhabit its halls and corridors to undertake more talks and presentations about the priceless items in their custody. She should think carefully about siting the excellent temporary displays in more prominent areas within the building, instead of letting them be crammed into a room somewhere up a staircase and down a long confusing corridor. The thrill of discovery is all very well but teenagers looking for ancient artefacts should not have to face an expedition almost as fraught as Indiana Jones's adventures in the Temple of Doom.

Most importantly, she should find a way of celebrating and promoting the British Museum as a truly British institution. The Smithsonian in Washington is the cultural pride and joy of the nation. The British Museum should become a museum of Britain, exploring the pioneering

spirit of the past, and yes, if necessary, admitting to the plundering that our forefathers practised to amass the collection. Whatever the arts policymakers might think, the public have a strong stomach for the truth, and given the right stimulus, the imaginations of small boys (and girls) can be equally as excited by descriptions of treks across dangerous terrain to seek out precious treasures as they can be by holograms of their own grinning faces.

It should, like Miss Collins, celebrate the acquisitive urge which garnered so much of beauty and wonder. Such a museum of ancient shopping and looking would be preferable to the unthinkable alternative: that the British Museum becomes just an exhibit of the way that museums used to be.

comment@the-times.co.uk

هكذا مش الاصل



THE FOG OF WAR

Strategies for the sure defeat of Milosevic

The first week of Nato airstrikes has ended in public frustration and anxiety. Militarily, that is not particularly surprising: it is far more difficult for laymen to follow the progress of bombing campaigns than it is to track ground troops; the opening stage of the air war against Iraq aroused anxieties too. The strategic campaign has run more or less to plan, inflicting heavy damage on Yugoslav air defences and ammunition dumps, communications and logistics, repair facilities and — probably the most important — military fuel depots. That will rattle Yugoslav commanders more than may appear; with Croatia still ambitious to regain disputed territory, the progressive disabling of their military machine leaves them vulnerable to more than Nato.

The damage will also hobble Serb forces in Kosovo. The trouble is that there is no reassuring evidence of that yet. For the urgent tactical task of stopping Serb forces in their murderous tracks, Nato's combined air power has appeared agonisingly irrelevant. The defenceless people whom Nato is there to save continue, in scenes of black horror, to be mercilessly purged, their dwellings flattened and their communities wiped off the pages of history.

Nato's decision to escalate its attacks and rethink its objectives, earlier than some governments would have liked and at greater risk to its pilots, reflects the political reality that it must not go on looking as though it is in the wrong war. The military planning has had flaws. It is no good blaming bad weather: that is hardly unusual in the Balkans at this season, and the world's most powerful air forces should be able to master the "wrong kind of cloud". It is legitimate to ask why Britain, for example, did not have the all-weather Tornado in position right from the start.

Equally, even though the genocidal operations in Kosovo exceed in scale, ruthlessness and criminality what was anticipated, it was consistent with everything that is known about Slobodan Milosevic that his riposte to airstrikes would be to step up atrocities against civilians. Nato was never, therefore, going to have as much time as it had in the Gulf to degrade air defences before deploying

ground-attack aircraft against tanks, troops and artillery. Yet the lethally accurate American B1B tactical bomber, able to penetrate air defences, is only now being deployed, together with five extra radar-jamming Prowlers. Along with the formidable A10 Warthog, these are Nato's best method of destroying the small highly mobile Serb units in Kosovo, which make extremely difficult targets for air power.

The calculus of military advantage could now change quite rapidly. But if more aggressive tactics do not begin to make a dent on the killers in Kosovo within days, rather than weeks, the logic of this war will point increasingly to ground troops. That will confront Nato leaders with the one decision that they have all insisted is out of the question. A Nato peacekeeping force of 28,000 is ready; once Mr Milosevic puts out the white flag, it would take no more than days to move sufficient troops into Kosovo. But there is no consensus now in Nato for the much more formidable commitment that a ground offensive would involve.

This would have to be a Nato operation, for military as well as political reasons. To muster a fully equipped force of up to 200,000, contributions by all Nato states will be needed. Not all can produce frontline troops of the calibre required, but they can provide logistics, signals and communications support. The military argues, correctly, that a ground offensive is no solution to the present emergency; even if it were agreed, deployment would take two months. Mr Milosevic could empty Kosovo of Albanians well before that. But it would put him under notice that Nato was determined to do whatever it took to make this a pyrrhic victory, ending in certain rout. America, Britain and France should consult now on a strategy to persuade Nato's 19 governments — and the American Congress — to think the unthinkable; because it is even more unthinkable that Nato should fail to stamp out the "great terror" that it is no exaggeration to accuse Mr Milosevic of inflicting. The human cost of his rule is appalling enough; but the erosion of Nato's will to mount guard over European stability would be a casualty of unimaginable consequence for peace.

LORDS A' LEAPING

The Bill will pass easily but the hard questions remain

It has been 'perhaps the most curious' example of capital punishment in British political history. The parliamentary battle over the reform of the House of Lords has been not so much a damp squib but a thoroughly wet blanket. The legislation sailed through the House of Commons with the most interesting debate occurring among Conservatives rather than across the party divide. Even in the Upper House, opposition has appeared relatively muted. The instinct of most Conservative peers was to accept the Cranborne compromise — the device that allowed 91 hereditary peers to remain in the Lords — and accept a reasonably dignified form of retirement.

In the short term this compact may be threatened by the approach taken by the Lord Chancellor. Lord Irvine of Lairg adopted a needlessly harsh tone when he told Tory peers that they should pass the Bill at once or face the prospect of the Cranborne deal passing into history. That fact was transparent enough without such a brusque form of restatement. This may encourage a "kamikaze squad" of hereditary members to attempt to obstruct this legislation. That could prove inconvenient in the next few weeks but in the longer term will not be remotely consequential.

The truth is that the Royal Commission on Reform of the House of Lords, rather than either chamber at Westminster, is by far the most important forum on this issue. The commission published an initial document last week to make plain what it considered to be the central questions. That text invited comments on certain areas —

such as potential additional powers for the House of Lords over constitutional matters — that had not been offered the same prominence in the Government's White Paper on the subject. There is some hope that this apparently conservative set of commissioners may exceed expectations.

That should be their objective. The early day motion last week, put down by Andrew Tyrie, MP, calling for an elected Upper House, attracted the support of some 131 MPs. This is not an ideal solution in that if enacted it would require either a reduction in the formal powers of the House of Lords or virtually invite intense legislative gridlock. Neither would be satisfactory. This campaign will, nonetheless, increase the pressure on the Commission to exercise its collective imagination rather than adopt the sort of incremental blueprint that would make it the toast of the Whips' Offices.

This intellectual dexterity would be more than welcome. Over the next 12 months Britain will witness a series of substantial changes to the constitution, not least devolution, that are, for the moment at least, separate rather than co-ordinated creatures. The reform of the House of Lords should be an opportunity to square several important circles. The Government sometimes offers the impression that it thinks this measure is simply a means of removing hereditary peers from the parliamentary car park. It is now up to the Royal Commission to produce an outline that might strengthen the quality of parliamentary democracy in this country.

HOT, WET AND HEALTHY

A cuppa *Camellia sinensis* is good for you

When he had a funny tummy, Peter Rabbit's mother gave him camomile tea. Scientists now endorse her cure. Tea is good for the health. Drinking green tea, not camomile, is best of all. By inhibiting the growth of new blood vessels, a component of green tea can help to prevent and treat cancers and blindness caused by diabetes. Instead of trying to escape enslavement to tea and "sloppetles", as William Cobbett encouraged, those wishing to stave off disease will find the leaves of *Camellia sinensis* just their cup of ch'a.

A servant of the Chinese Emperor Shen Nung put the kettle on for the first brew in 2737 BC. Some leaves from a nearby tree fluttered into a pot of boiling water. Centuries later, William Gladstone was still extolling the virtues of Shen's chance creation: "If you are depressed it will cheer you; if you are excited it will calm you." Anna, 7th Duchess of Bedfordshire, turned tea from a drink into a meal. One afternoon, 150 years after Thomas Garway first sold China Tea to Englishmen as a cure for "gripping of the guts, cold, dizziness, scurveys", the duchess experi-

that time) between lunch and dinner. This is one area in which West and East have happily met.

After five sleepless years contemplating Buddha, Bodhidharma, the founder of Zen Buddhism, also had a sinking feeling. He plucked some leaves off a wild tea tree, chewed them, and felt revived. Zen Buddhist monks followed his example. Green tea, rich in vitamin C, B2 and carotene, helped to keep them awake. A Japanese monk, Myoan Eisai, brought tea to his homeland in 1191. His disciple, Dogen, drew up rules for when monks should drink the "honcha", true tea. And so the tea ceremony, *Cha-no-yu*, slowly infused into Japanese society.

The Duchess of Bedfordshire might have approved of Japanese tea-time. The 16th-century Sage Of Tea, Sen-no-Rikyū, decreed that it should be chaste and simple. The host needed a whole tea-house, into which participants would crawl through a small door to sit on mats, measured to a stipulated size. There was little cosy about the ceremony, not even a woolly hat for the teapot. The British are able to enjoy the tea ceremony without such refined manners.

Serbia's guilt and Nato's arrogance

From Mr John Henderson

Sir, I am sick of the pontifications of priests and politicians who think bombing Serbia is "immoral" and that appeasement is the answer. I wonder how many of them have actually been to Bosnia and Serbia and witnessed the true immorality of an ethnically cleansed village or spoken to the people whose culture of hatred allowed it to happen.

I went there last year with an aid convoy and the lasting impression, beyond the destruction of homes and lives, was that the Serbs we met had no understanding that what their nation had done was wrong.

Serb mayors would tell us how their towns had suffered an influx of refugees after the peace deal over Bosnia, then announce many had been rehoused in "abandoned homes" — ignoring how they came to have so many abandoned homes. Individual Serbs would blame everyone but their own nation for their plight.

We now see the same thinking among the expatriate Serbs protesting all over the world at the bombing while refusing to condemn the behaviour that led to it. The people carrying out atrocities in Kosovo know the world is watching and they do not care what we think because to them this is acceptable behaviour.

Yours,
JOHN HENDERSON,
Summers Farm, Hurdle Drove,
Bury St Edmunds, Suffolk IP28 8RQ.
31 March.

From Mr K. D. Boyd

Sir, The political structures that the Balkans have adopted are not to our liking. We have other, more mature, ways of dealing with our disputes that seldom involve bloodshed. If the Balkans wanted anything different they would have grown and developed such systems. What they have is what they want.

I tremble at the arrogance of the West trying to impose its own political solutions on another country. We tried to do it to Africa and failed. When the fighting stops the Kosovans and Serbians will have to start all over again the learning, maturing process. All that has been achieved by our interference is to set the clock back many years.

Yours faithfully,
K. D. BOYD,
Rogate House, Rogate,
Peterfield, Hampshire GU31 5HQ.
30 March.

From Mr Karim Chowdhury

Sir, One cannot and should not forget the sacrifices the Serbs have made in the past (letter, March 29). However, it is naive to think that the Serbs fought against the Nazis purely for Britain's interest and did not have their own nationalist interests. If they had supported Hitler that would have been immoral and their history further blackened.

Britain does not owe any debt to nations that persecute and oppress innocent civilians and suppress democracy, irrespective of their past support.

Yours faithfully,
K. CHOWDHURY,
46 Keswick Gardens, Ilford IG4 5NB.
March 29.

From Captain P. R. D. Kimm

Sir, Although I have scanned your columns carefully and listened avidly to the radio and television news, I have yet to read or hear a single word regarding the reaction of the UN secretariat to the appalling tragedy in the Balkans.

Do they know of the scale of the ethnic cleansing there? Have they condemned it? Have they a view on Nato's intervention? Do they support it? If not, what action do they propose instead?

Yours faithfully,
PETER KIMM,
69 New Brighton Road,
Emsworth, Hampshire PO10 7QR.
March 29.

From Dr Andrew C. Woodward

Sir, Does the \$10.7 million released by the EU for emergency aid (report, March 31) not sound a little inadequate for the more than 100,000 refugees we are supposed to be helping, but who are primarily being supported by two of the poorest countries in Europe?

Yours faithfully,
ANDREW WOODWARD,
28 Wellington Street,
Hillside, Edinburgh EH7 5ED.
baly@wowar.demon.co.uk
March 31.

From the Reverend
Humphrey Southern

Sir, In the recent armed conflict in Iraq some sense of delicacy restrained Allied commanders and their political leaders from ordering strikes in the holy month of Ramadan. We have already seen the forces of the West ordered into action against the Serbs during the Christian Holy Week. Are they to drop bombs, also, on Good Friday and Easter Day?

Yours faithfully,

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Female circumcision goes on despite legal ruling

From Baroness Jeger

Sir, Your fascinating and frightening feature on female circumcision, "Women at our mercy" (Weekend, March 27), concluded: "Thousands of illegal operations are still thought to take place in Britain every year."

We do not know the numbers because officialdom has no account of them. Some of us in Parliament had to work hard to ensure the passing of the Prohibition of Female Circumcision Act of 1985. But since then there has not been a single prosecution under the Act, although there is plenty of reliable anecdotal evidence that the practice is increasing here.

In a debate in the House of Lords on November 10, 1998, Lord Hunt of Kings Heath said (*Hansard*, col 747): "The fact that there have been no prosecutions is not because the Crown Prosecution Service or the police are not enforcing it; nor is it because of a lack of clarity in the existing law. It is because of the difficulties in obtaining evidence to support prosecutions."

These crimes have deep roots in the culture and traditions of many countries. But we do not pass laws in this country which can be ignored because they do not apply in other countries. As far as evidence is concerned, why do they do better in France? In February, an African woman was jailed in Paris for eight years for circumcising 48 young girls (News in brief, February 17).

There is also legislation, so far unused, under the Criminal Justice (Terrorism and Conspiracy Act 1998), which was referred to by Lord Hunt in the same debate (col 740): "It is now an offence for a person to conspire to commit an offence outside the UK pro-

vided the act constitutes an offence both under the law in the UK and under the law in the country in which the act is to be committed."

As the number of countries banning female circumcision increases it should become possible to deal with immigrants here who take their daughters "home" for this purpose.

There is an understandable wish not to be regarded as cultural imperialists interfering with human rights elsewhere, but this should not excuse our lack of prosecutions. When I represented the UK on the Status of Women Commission at the UN, I found that it was delegates from the very countries where mutilation is practised, and where many of them had been victims, who begged us luckier women for help. They were brave women, like Waris Dirie, now a UN special ambassador (interview, *Magazine*, March 6), giving voice to the pain of 130 million women across the world.

Too many of these women are here. The Government is helping, with grants to the Foundation for Women's Health Research and Development, known as "Forward", and to the North-West London African-Somali Well Women Project, at Central Middlesex Hospital. There is much to be done in alerting all in the public services to the sort of evidence needed for prosecution.

And what about the men? They often refuse to marry girls who have not been "done" (letters, March 15). They need education (in its widest sense) to understand the damage caused by female circumcision — difficulties with micturition, sepsis

and problems in childbirth which often lead to maternal and infant mortality.

Yours,
LENA JEGER,
House of Lords,
March 30.

From Dr Christopher
Gardner-Thorpe

Sir, Jean-Martin Charcot (1825-93) is the prominent character depicted in your marvellous colour reproduction of André Brouillet's 1887 picture, *Une Léçon Clinique à la Salpêtrière*. Charcot was one of the foremost clinical neurologists of the century, born in the year after James Parkinson (1755-1824) died and it is Charcot, allegedly, who first introduced the term Parkinson's disease.

Charcot is shown teaching during one of the Tuesday morning sessions, and the patient, Blanche Wittman, swoons apparently with hysteria. Charcot was said to have been quite rude to his patients and the lessons were dubbed *théâtre-français*. Indeed, some heavy criticism of his teaching method probably contributed to the greater care which doctors are exhorted, rightly, to exercise nowadays in the teaching of clinical medicine where the help of patients is irreplaceable.

Yours sincerely,
C. GARDNER-THORPE
(Consultant neurologist),
The Coach House,
1a College Road,
Exeter, Devon EX1 1TE.
March 29.

International hallmark standards

From the Under-Secretary of
State for Competition and
Consumer Affairs

Sir, Mr Lawrence Brewer (letter, March 23) appears to give credence to Professor Declan Anderson's mistaken belief (letter, March 20) that Community law requires numerical (millimetric) indication of the fineness of articles of precious metal hallmarked in the United Kingdom.

In line with Article 30 of the EC treaty, the Hallmarking Act has been amended to allow articles of precious metal which bear hallmarks from other member states of the European Economic Area which operate systems equivalent to our own to be marketed in the UK without further hallmarking here, and to abolish the distinct hallmarks which were previously struck on imported articles.

The British Hallmarking Council has produced guidance on those marks which would, in its opinion, meet the necessary conditions. In all but one case, these have been accepted here under the international Convention to which the UK has been a signatory since 1972.

A number of changes were also made to the Hallmarking Act but, although these mostly followed on from the changes required by EC law, they were not EC requirements. Hence the range of finenesses to which UK assay offices can hallmark has been increased to ensure that UK manufacturers can produce articles of precious metal to the same principal standards of fineness as their competitors in Europe, although not the lesser-known standards since a proliferation is not in the interests of consumers.

Since January 1, UK hallmarks have also been required to include a numerical indication of the standard of fineness, instead of the increased range of finenesses which will appear on the market. However, existing traditional fineness symbols — the lion for sterling silver and the crown for gold — will continue to appear along-

side the millimetric mark as voluntary marks.

The draft EC Directive to which Mr Brewer refers would require the UK to accept articles subject only to mandatory hallmarks and lowering the high level of consumer protection in the country. If the proposal was adopted in its current form, the UK's traditional hallmarks would almost certainly be replaced by a letter "e".

Yours sincerely,
KIM HOWELLS,
Department of Trade and Industry,
1 Victoria Street, SW1H 0ET.
March 25.

From Mr R. D. Buchanan-Dunlop,
Clerk of The Goldsmiths' Company

Sir, May I reassure Professor Anderson that all four UK assay offices will continue to put the lion passant on sterling silver, if requested, in addition to the figure 925. Although the UK may be ahead of the game, the Dutch Assay Office will in due course undoubtedly be required to toe the line; after all, it was a complaint against that office which sparked the current ruling from the European Court of Justice.

Mr Brewer's remarks need qualification. The British Hallmarking Council and the DTI have been at pains to ensure that the new regulations do not prejudice British manufacturers. The European Court's judgment was an unequivocal ruling that the independent testing and marking of precious-metal articles provide a superior form of consumer protection to a manufacturer's marking system. Most of the British jewellery trade rightly wants our system of hallmarking to continue.

Yours faithfully,
ROBIN BUCHANAN-DUNLOP,
Clerk, The Goldsmiths' Company,
Goldsmiths' Hall,
Foster Lane, EC2V 6BN.
March 26.

Balloon record

From the Secretary General of
the Fédération Aéronautique
Internationale

Sir, Professor Harry McWilliam (letter, March 24) was not, I am quite sure, trying to play down the achievement of Bertrand Piccard and Brian Jones by calling attention to the fact that their balloon's trajectory did not cross the Equator.

The flight fully complied with the detailed requirements for round-the-world flights of the Fédération Aéronautique Internationale — the organisation that, since 1905, has been responsible for ratifying all world records in aviation. These requirements — in addition to requiring the balloon to cross all the meridians — specify

that the flight must take place between certain latitudes, outside the polar "caps".

Crossing the Equator may, in the public eye, have added still further lustre to an incredible achievement, but there is no doubt that Jones and Piccard went round the world, by the longstanding official definition.

Jules Verne would have been satisfied — the *Breitling* crew carried with them a signed, first-edition copy of his famous book.

With best regards,

MAX BISHOP,
Secretary General, Fédération
Aéronautique Internationale,
Avenue Mon Repos 24,
1005 Lausanne.
sec@fai.org
March 29.

Teachers' pay

From Miss Gertrud Seidmann

Sir, I am no firebrand, but this time — by Jove! — I'd come out with the teachers. "Performance-related pay" indeed (News in brief, March 20).

The best judges of teachers' performance are their pupils, and no one is going to ask them.

Yours etc,
GERTRUD SEIDMANN,
University of Oxford,
Institute of Archaeology,
36 Beaumont Street, Oxford OX1 2PG.
March 30.

By fits and starts

From Mr Russell Lewin

Sir, I doubt there's a better example of bad news being given a soft edge than an announcement on my Chester to London Virgin West Coast service on March 14, when we were informed that our delayed train had been "refined" and would arrive at Euston half an hour later than originally scheduled.

Even Gordon Brown would be proud of that one.

Yours etc,
RUSSELL LEWIN,
75 Malpas Avenue

Arms decommissioning

From Mr Alistair B. Cooke

Sir, The chronicle of the unsuccessful attempts which have been made since 1995 to induce the IRA to begin decommissioning ("A passage of arms", March 29) underlines the failure of both Conservative and Labour Governments, and of Senator George Mitchell, to secure the progress in this vital area which they explicitly undertook to achieve at earlier stages of the peace process.

Would it not therefore be more becoming if Mr Blair and other politicians and commentators outside Northern Ireland showed a little more humility and understanding instead of constantly giving the impression that the elected leaders of the Northern Ireland parties should be able to achieve the breakthrough which eluded them?

I have just attended a service of remembrance to mark the twentieth anniversary of the murder of Airey Neave, for whom I worked. He was a man who understood that British leaders must not shuffle off their responsibilities on to the shoulders of others.

Yours faithfully,
ALISTAIR B. COOKE,
Flat 1,
68 St George's Square, SW1V 3QT.
March 30.

A-level reform

From the Director for
Engineers' Regulation at
the Engineering Council

Sir, Mr Michael Tiley suggests (letter, March 22; see also letters, March 25) that it would be useful if an authoritative body produced a reliable table indicating equivalence of GCE A levels, Scottish Highers and the International Baccalaureate.

The Engineering Council publishes just such a table as a means of guidance to universities intending to run accredited engineering degree courses. Our table is based on the experience and knowledge of the engineering academic community, and also includes several other qualifications, such as GNVQs and BTEC.

Copies appear on our website at www.engc.org.uk/sarnor/Sec411B.rtf

Yours faithfully,
ANDREW RAMSAY,
Director, Engineers' Regulation,
Engineering Council,
10 Maltravers Street, WC2R 3ER.
March 30.

Wheels of justice

From Mrs Diana Waller

Sir, How long, I wonder, before the Criminal Cases Review Commission (report, "Police 'covered up' A6 murder evidence", March 30) seeks an inquiry into whether Cain really did kill Abel?

Yours etc,
DIANA WALLER,
Sandilands, Boughton Hall Avenue,
Send, Woking, Surrey GU24 7DE.
March 30.

Sign of spring

From Mrs Olwen Davis

Sir, Observing the migratory habits of the navel (letters, March 19, 23 and 29) would seem to be rather more scientific a study than I had first appreciated. The one I spotted in Fishguard this afternoon had been ringed.

Yours faithfully,
OLWEN DAVIS,
Min-yv-Afin.

Cher's
tea with
Mussolini

Arts, page 38



BUSINESS • ARTS • BOOKS • SPORT • TELEVISION

THE TIMES

THURSDAY APRIL 1 1999

BUSINESS EDITOR Patience Wheatcroft

Lara's
finest
hour

Sports, page 53



Aid worth £200m saves Rover car plant

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

THE FUTURE of Longbridge, Rover's giant car plant in Birmingham, was finally sealed yesterday after the UK Government agreed an aid package thought to be worth about £200 million.

The deal struck yesterday morning between Stephen Byers, the Trade and Industry Secretary, and Professor Joachim Milberg, chairman of Rover's German parent BMW, ends months of uncertainty for the plant, which employs 14,000. It came just a day after BMW said that it would go to Hungary for the production of a new Rover model unless the Government increased its aid offer within four weeks.

The Government's initial offer is thought to have been about £118 million while BMW had originally asked for nearly £250 million. BMW is now expected to honour a commitment made last year that £1.7

billion will be invested in Longbridge to enable the plant to build the new 200/400 series.

The deal, which is expected to be ratified at a BMW board meeting in Munich in two weeks' time, ensures 50,000 jobs in the West Midlands. Hundreds of companies in supplies and services as well as a large part of the local economy are dependent on the Longbridge plant.

The aid package, which will include regional assistance and cash from local authorities as well as money from the Treasury, is linked to productivity targets and to skills training. The money will be phased in as BMW meets those targets, which will be detailed by the company after its board meeting.

Mr Byers said yesterday: "Our objective has always been to secure the long-term future of Longbridge as a world-class plant. We believe this will achieve this."

BMW said: "We are pleased to announce that we have reached agreement in principle on the size and nature of a government aid package which will secure production of the new medium car at Longbridge."

Unions welcomed the deal, which comes five months after they thought they had saved the loss-making Longbridge through a ground-breaking pay and productivity deal. The plant's future was then thrown into doubt by a boardroom row at BMW which saw the exit of Longbridge's biggest supporter, Bernd Pischetsrieder, the chief executive.

Tony Woodley, chief car industry negotiator for the Transport and General Workers' Union, said: "For the 14,000 Longbridge workers, tomorrow is the first day of a bright new future. While we have always been optimistic that a positive outcome would eventually emerge, it is an immense relief that the long hard days of purgatory are over."

Ken Jackson, general secretary of the AEEU, said: "This is excellent news for the Rover workforce, which has been through the mill in the past few months. I'm delighted the Government and BMW have concluded their discussions successfully." Roger Lyons, general secretary of the MSF, said: "We always had faith in the Government and BMW."

Some job losses at Longbridge are likely under plans to make the new Series 200/400 at the plant but they will be very small compared to those which would have been shed if BMW took the new model elsewhere. Last year the unions agreed to 2,500 job losses in the radical restructuring plan drafted to help Rover to close a 30 per cent productivity gap with German plants.

Commentary, page 31



Michael Stoddart, chairman of Electra Investment Trust, left, with Hugh Mumford and Sir Michael Pickard, as the company's defence document was published yesterday

Borrowing pledge by Electra

THE DEBT taken on to fund a £550 million share buyback programme at Electra Investment Trust, the venture capital fund, will be "substantially" paid back within a year, Electra said yesterday (Martin Barrow writes).

Electra is currently being laid siege by a £1.25 billion hostile takeover bid from 3i, the rival venture capital group. The pledge on borrowings comes as Electra attempts to repulse 3i approaches.

Electra has about £200 million worth of assets in quoted companies and £300 million worth of unquoted shares which it has identified for disposal. Electra hopes the declaration will ease fears about the ongoing value of Electra shares which remain in existence after completion of the buyback, and assuming the 3i bid is unsuccessful. 3i has urged investors to accept its takeover offer because the debt burden would undermine the ongoing value of Electra shares.

BP runs into Alaskan storm

By CARL MORTSHED, INTERNATIONAL BUSINESS EDITOR

BP AMOCO's plans to take over Atlantic Richfield (Arco) could fall foul of the regulatory authorities in Alaska where there is growing concern in the US state's legislature over BP's potential dominance of Alaska's primary industry.

The \$25 billion-plus (£15.5 billion) takeover of Arco, expected to be announced today, will immediately breach Alaskan statutes which limit a company's right to oil exploration acreage. Ken Boyd, director of Alaska's Department of Natural Resources, said the takeover of Arco would give the new BP 870,349 acres onshore, well above the 500,000 acre limit. The Alaskan government could force the company to relinquish or sell excess holdings within 90 days of a takeover.

Mr Boyd said the Alaskan government was preparing a statement which would be issued if a takeover is announced. "Concern is being expressed. The first thing that comes to mind is jobs. There is a lot of duplication and redundancy," he said.

He added that competitiveness was also a concern with the new BP controlling the largest producing field, Prudhoe Bay, as well as 95 of Kuparuk, another large field. He said BP would acquire a controlling stake in the Trans Alaska Pipeline. "It also concerns other facilities as well as pipelines linking the fields."

The Alaskan government is believed to be reviewing what powers it has to influence the takeover beyond controlling the acreage limits. These were established to prevent excessive dominance and hoarding of acreage without investing in exploration.

The Arco board was meeting yesterday to approve the takeover after approval by BP's board on Tuesday.

Exchange fines ABN Amro £250,000

By CAROLINE MERRELL, BANKING CORRESPONDENT

THE London Stock Exchange has levied one of its biggest financial penalties after finding ABN Amro, the Dutch-owned investment house, guilty of market misconduct.

The fine of £250,000 concerned share deals carried out on the UK stock market at the end of last year. The Exchange also fined Morgan Stanley Dean Witter, the US investment bank, £100,000 over the same rule breach.

The Stock Exchange said that the banks had broken its rules by buying or selling shares on behalf of a customer, where the instructions for the transaction included a request for the banks' traders to move the price of the share.

The exchange refused to name the stock targeted, nor the customer, though it is understood to be a US fund manager.

The Securities and Exchange Commission, the US regulator, is also looking into the share trades as the action against ABN Amro is believed to be in connection with the activities of Angelo Iannone, one of the best-known traders on Wall Street.

Mr Iannone left ABN Amro at the end of last year, having joined the bank in 1997 after 12 years at Goldman Sachs. At ABN Amro, Mr Iannone was responsible for carrying out transactions for American investors on European stock markets.

ABN Amro refused to comment on the fine.

A spokesman for Morgan Stanley in London, however, took issue with the findings. He said: "Morgan Stanley Securities did not give effect to any improper customer request and all trading effected by Morgan Stanley Securities for the customer was conducted in accordance with the rules of the exchange."

The largest fine imposed by the Stock Exchange was the £350,000 on JP Morgan at the end of 1997. The fine was levied after two traders attempted to move the market—the traders were subsequently dismissed by the firm.

The JP Morgan fine marked the beginning of a concerted campaign by the Stock Exchange to stamp out market malpractice. Irregular share transactions are monitored by the Stock Exchange's integrated monitoring and surveillance system (IMAS). A team of about 12 people look at the movement of share prices. Any irregular price movements are picked up by computer. A member of the team will immediately take up matters with the compliance officer of a member firm. Traders will usually be interviewed almost immediately.

There is no limit to the fines that can be imposed by the exchange. Of the average 100,000 bargains carried out on the exchange daily, several "alerts" are triggered. About 100 full-scale investigations are carried out annually, of these 30 are handed over to the Department of Trade and Industry.

In just over a year's time, responsibility for investigating market manipulation and malpractice will be held by the Financial Services Authority, the new super-regulator. The Stock Exchange recently disclosed that it intended to upgrade the IMAS system, at a cost of £4.5 million, ahead of introduction of the Financial Services and Markets Bill, the contents of which are currently being debated.

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Graham
Searjeant
Boardroom pay
and why the gaps
are widening

page 33

STOCK MARKET INDICES		
FTSE 100	6285.3	(+31.2)
Yield	2.67%	
FTSE All Share	2894.78	(+11.88)
Nikkei	15836.59	(+22.53)
New York		
Dow Jones	8899.94	(+13.32)
S&P Composite	1299.63	(+1.12)

US RATE		
Federal Funds	5.75%	(+0.25)
Long bond	6.5%	(-0.05)
Yield	5.65%	(-0.05)

LONDON MONEY		
3-month investment	5.75%	(+0.25)
Libor 3-month	5.75%	(+0.25)
Libor 6-month	5.75%	(+0.25)

STERLING		
New York	1.6149	(1.6116)
London	1.6153	(1.6137)
Frankfurt	1.4988	(1.4994)
Paris	118.47	(120.38)
Yen	191.18	(194.34)
Indonesian	102.8	(103.2)

DOLLAR		
London	1.0609	(1.0722)
Frankfurt	1.4770	(1.4963)
Paris	118.47	(120.38)
Yen	191.18	(194.34)
Indonesian	102.8	(103.2)

NORTH SEA OIL		
Brent 15-day (Jun.)	\$15.80	(\$14.80)

GOLD		
London close	\$279.85	(\$278.75)
denotes midday trading prices		
Exchange rates		Page 30

Scardino earns £1m at Pearson



PEARSON, the information and publishing group whose interests include the *Financial Times*, has broken its own remuneration policy to reward the performance of its chief executive, Margorie Scardino.

Ms Scardino, who has presided over a growth surge at Pearson had total remuneration of £1.04 million last year compared with £752,000 in 1997.

The Pearson chief executive was paid an annual salary of £445,000. Under the company's rules, executive directors can earn up to 100 per cent of salary based on performance, assessed on a number of indicators, including

profit and accounts, not only Ms Scardino qualified for the full 100 per cent bonus of £445,000 but the personnel committee has decided to pay a "discretionary" bonus of £100,000 on top. During the year Pearson's sales rose by 4 per cent, operating profit increased by 19 per cent and operating cash flow shot up by 147 per cent to £392 million.

In addition, Mrs Scardino has presided over an extraordinary share price performance which has seen Pearson's stock, up 51p at £14.11 yesterday, double over the last 18 months. Ms Scardino joined the company in January 1997.

Television, who had total remuneration of £768,000, also more than doubled last year. His pay included a "special performance-related bonus" of £275,000 delivered in Pearson shares which have to be held for three years.

The two other executive directors, David Bell, director for people, and John Makinson, finance director also got bonuses equalling 100 per cent of their salaries. Mr Bell's total remuneration was £496,000, compared with £303,000 last time and Mr Makinson went up to £555,000 up from £351,000 in 1997.

□ Peter George, chief executive of Ladbroke Group, earned a total of

AR Austin Reed

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STARTS TODAY

Slide in German profits hits RMC

By CARL MORTISHED, INTERNATIONAL BUSINESS EDITOR

STAGNATION in Germany's building industry continues to afflict RMC, the building products group, which yesterday reported a 10 per cent slide in trading profit, to £304 million, last year despite good growth in the US and in the rest of continental Europe. Pre-tax profits, excluding an exceptional gain of £70 million, fell 14 per cent, to £264 million.

RMC is seeking to shift the balance of its business away from Germany, where its profits fell 39 per cent, to £76 million, and yesterday the group announced the purchase of two concrete products companies in America's Southwest.

RMC is paying \$75 million (£46 million) for the two companies, Jobe Concrete Products, based in El Paso, Texas, and Reno Sparks, which owns five concrete plants in Nevada. In addition to the cash consideration, RMC is taking on \$42 million in borrowings for the two businesses, which together made operating profits of

\$12.7 million on sales of \$94 million in latest figures.

Peter Young, RMC's chief executive, said that the deals marked its entry into Texas, Nevada and New Mexico and would provide links with existing businesses in California and Arizona. "The US represents the group's third-largest activity by country and these acquisitions are in line with our strategy to continue to expand in this region," he said.

Trading in Germany, which accounts for a third of RMC's profits, worsened substantially in the final quarter of last year as bad weather hit most of the country. Overall, construction spending in Germany fell by 3.5 per cent, but volumes in eastern Germany suffered the most, with declines of 15 to 25 per cent.

RMC is making efforts to cut costs, reducing its five German divisions to three, with the workforce being reduced by 17 per cent over the past three years. The company yesterday forecast little change in demand in western Germany in the current year but further reduction in volumes in the eastern Germany.

In the US, trading profit rose by 17 per cent, to £54 million, with a 16 per cent increase in concrete volumes, mainly in Georgia, Florida, Arizona and California.

In the UK, profits grew to £57 million, representing an underlying 11 per cent rise despite generally flat markets. Demand slipped in the second half as infrastructure and housing starts fell back. Great Mills, the DIY retail chain, beat its sector with a 4.5 per cent rise in like-for-like sales and increased market share.

RMC's earnings per share fell 14 per cent, to 60.2p, but the dividend is being raised by 4 per cent, to 29p, for the year.

Tempus, page 32



Peter Young, chief executive, has unveiled higher UK earnings for RMC, but a 10 per cent fall in group trading profits

BTR Siebe seals Far East link-up

By ROBERT LEA

BTR Siebe, the engineering and electronics group, yesterday made its first move since its recent £9 billion tie-up with the announcement that it is to merge its Far Eastern power supply business with Nippon Electric Industry of Japan. The merged company, with ¥60 billion (£300 million) of sales, will be listed on the Tokyo Stock Exchange.

Nemico-Lambda, BTR Siebe's operating subsidiary said it is paying less than £34 million for 47.7 per cent of Nippon Electric, currently owned by NEC, the troubled Japanese electronics company.

Nippon Electric last year made just £1 million in operating profit on sales of £178 million. A spokesman for BTR Siebe said: "Clearly, it is not delivering the margins. We see plenty of potential there."

BTR Siebe also dampened expectations of a rapid sale of its unwanted, £1.9 billion-rated automotive and paper technology operations. But the company admitted that it is being advised by Goldman Sachs and Morgan Stanley on the matter.

Commentary, page 31

New pay law's effect 'marginal'

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

THE MINIMUM wage, which comes into force today, will have a marginal effect on many industries, according to a report commissioned by the Low Pay Commission.

A survey of more than 600 companies in the hotel, catering, services and other low-pay industries says that there is little evidence of job losses having been triggered by the prospect of minimum pay. It notes expansion plans by many low-paying businesses.

The report, by Incomes Data Services, finds that many companies will pay, or

are paying, the adult minimum wage of £3.60 to employees over 18 even though the law requires a starting rate of only £3 for people aged 18 to 21. It also says that where minimum pay has been introduced early, there have been few signs of a knock-on effect on the wage structure.

Separately, the Ministry of Defence may be pressed to renegotiate contracts with service companies at Army sites. Personnel Today quotes a contractor demanding new contracts to replace old ones struck before minimum pay.

BNFL cuts 500 Sellafield jobs

By CHRISTINE BUCKLEY

FIVE HUNDRED jobs are to go at the Sellafield nuclear reprocessing plant as part of a large cost-cutting programme. The jobs will go over the next two years at the Cumbrian centre, which employs 10,000. BNFL, the State-owned nuclear fuels company, said none of the redundancies would be compulsory.

The cuts are part of a drive to reduce

costs by 25 per cent by 2002 as BNFL tries to compete with international rivals. Much of BNFL's work is now in overseas markets, while in the UK it supplies fuel to British Energy and reprocesses waste.

The latest move on jobs comes as the Government is considering privatisation or a partial sell-off of BNFL. The Department of Trade and Industry has commissioned the accountants KPMG to look at options for BNFL and an announcement

is expected in the next couple of months.

The Government could go for a sale of 49 per cent of the business as a means of avoiding full-scale privatisation. Some unions have suggested a smaller sale, with a drip feed of shares in the company offered to the market. Up to 10 per cent could be sold in the first year and then more over progressive years to prevent taxpayers from being short-changed by an undervalued sell-off.

BUSINESS ROUNDUP

BT pays £200m into pension fund

BRITISH TELECOM is making a special payment of £200 million to its main pension scheme, the BT Pension scheme, the largest single private sector pension fund in the UK. The payment, which has been welcomed by the scheme's trustees, is being made in advance of the next full actuarial valuation planned for the end of this year. The payment is being made because the increase in the fund's assets in 1998 failed to keep pace fully with the increase in its liabilities in the year, mainly because of a fall in interest rates. The investment fund's return was 13.9 per cent in 1998.

In the year to the end of December the pension fund's assets grew from £22.67 billion to £24.9 billion. BT said that full provision for the special contribution had already been made and would have no impact on the company's profit and loss account. The last full actuarial valuation, carried out at December 31, 1996, showed a small surplus of £66 million. In between the three-yearly full actuarial valuations, trustees review annually the effect of redundancy costs and the financial health of the fund.

Eight in 'virtual index'

THE 'virtual index' of British Internet companies will be launched today — April Fool's Day — amid criticism from both analysts and business that it contains too few companies. FTSE International, the company that organises the Stock Exchange's index classification system, has chosen eight companies to be included in the virtual index. These will be: Dialog Corporation; Gresham Computing; EasyNet; Intelligent Environment Group; Internet Technology Group; Netcall; Virtual Internet; and Voss Net. Commentary, page 31

Target's brief closure

THE European Central Bank is to close its Target payment system, used by commercial banks to settle their accounts with the ECB, for one day, on December 31, this year. The ECB said the closure was intended to enhance the safety of the transition to the year 2000. The bank's governing council, which took the decision to close the system for the last day of the year, believed that general preparatory work for the year 2000 should not only cover testing, but also the adoption of preventative and supportive measures to avoid disruptions.

Ryland sells stake

RYLAND Group, the car distributor, is to sell a 75 per cent share in Ryland Multifleet, its contract hire subsidiary, to Arval, the vehicle leasing offshoot of Paribas, the French bank. Paribas is paying £25 million for the stake. Ryland's debt gearing will halve as a consequence of the deal, from 90 per cent at the end of its last financial year, to 45 per cent. The lower figure takes account of the planned £8 million acquisition of Wyndham, a rival quoted motor dealer. Tempus, page 32

United raises £10m

UNITED News & Media, the publishing and broadcasting company, is raising £10 million with the sale of six specialist business magazines to Centaur Communications. The magazines, published by United's Miller Freeman subsidiary, include *The Engineer*, first published in 1856. Centaur, established in 1982, specialises in publications in the marketing, design, legal and service sectors. Miller Freeman is focusing on faster-growing markets, including healthcare, music and telecoms.

THE SUNDAY TIMES

HAVANA BALL

"First thing you notice is how terribly 1960s it still feels. There's music and mess and posters of Che. Cuba is the last untidied student bedroom in the world." AA Gill reports from a vibrant capital.

The Sunday Times Magazine this weekend

THE SUNDAY TIMES IS THE SUNDAY PAPERS

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STAR

هكذا في الاجل

Stock market malpractice continues apace, if the two fines meted out by the Stock Exchange are anything to go by. It will continue to do so unless regulators are tough.

The two banks in the firing line, one Dutch-owned and one American, were eager to play down the sins of their traders. Their excuse is 'arcane' and instructive. They claimed that the deals in question did not constitute manipulation, only malpractice.

Their defence was that a customer, in the shape of a US institution, had attached a caveat to a buy or sell order. The caveat was that the price of the share had to be moved, the very opposite of a normal instruction. We may speculate that the customer was holding some options on the stock, and felt that the order, laced with a request to move the share price, was the best way of salvaging a complex derivatives position.

The audacity of the customer is breathtaking in its way. After all, calls to broking houses are recorded, and in London at least the exchange has a complicated 'real time' monitoring system that tracks upward movements in stock prices. The conclusion might be reached that the customer was used to having such a share request fulfilled, with no questions asked.

The exchange said yesterday that it intended to spend more on its surveillance system, ahead of the much beefed-up Financial

Services and Markets Bill. This new legislation aims to give far greater powers to the Financial Services Authority, the new super-regulator.

The FSA, which will take over from the Department of Trade and Industry as the lead enforcer, will have more powers to pursue market malpractice and to chase insider traders through both civil and criminal courts.

The exchange has not felt the urge to fine any members since 1997, when two traders from JP Morgan, dumped carefully selected FTSE stocks in a thinly traded market. The US bank was fined and the traders fired.

Despite the huge numbers of odd share price movements picked up by the Stock Exchange's system, few actually go to full investigation or prosecution. The exchange argues that many adverse share movements were triggered by press comment or market rumours.

The problem with the UK market lies in liquidity of some of the stocks. The introduction of Sets has made it easier to manipulate the price of particular shares through relatively small deals, or even to manipulate the index itself. Index manipulation was

more recently highlighted in the case of James Archer, who has been accused of moving the Swedish market, to satisfy a derivatives position. More liquidity might make the market less open to the abuse being perpetrated by ABN Amro's US customer.

If the FSA is to make any impact, however, it will need to persuade investment banks that malpractice, far from being an excuse, is totally banned.

Virtual index may be real problem

IT IS fitting that the 'virtual index' of Britain's Internet companies should be launched on April Fool's Day. Some private investors will undoubtedly study the list of eight companies included in the Internet sub-sector for all of ten seconds before deciding that they are 'a dead cert'.

Yet shares in these eight little companies — some of which are

COMMENTARY

by our City Editor

unknown even to the City's most knowledgeable information technology analysts — are, in most cases, fool's gold. It is even questionable whether some of the companies in the sub-sector, most notably Dialog Corporation and Gresham Computing, really should be classified as Internet stocks at all.

The problem is, of course, that Britain doesn't really have any pure Internet companies, such as eBay or Amazon.com in the US. These two companies — an on-line auctioneer and virtual bookshop respectively — have created hugely valuable brands in almost no time at all, while seriously undermining their traditional rivals.

In contrast, our IT sector is made up mainly of Internet service providers, software developers, and systems integration and outsourcing companies.

This is not to say that British companies have failed to embrace the Internet: they are just doing it in a different way. The

number of traditional retailers, such as Dixons and WH Smith, which have launched free Internet services over the past few months, is proof of that.

Britain's lack of pure Internet stocks, however, has made life very difficult for FTSE International, the organiser of Britain's stock market indices. To ignore the Internet would be suicidally unfashionable; yet to embrace it involves creating a highly dubious index.

It may not be surprising that FTSE International opted for the latter, but it is nevertheless a dangerous move. While investment banks are unlikely to create funds to specifically invest in the virtual index, it is conceivable that some private investors may blindly pump their savings into it. After all, it was this kind of mania that recently resulted in shares in On-Line, the Internet games producer, rising 2,088 per cent in a fortnight, before their inevitable crash back to reality.

Meanwhile, the City is likely to ignore the index, and make up its own mind about what is, or is not, an Internet company.

Obviously, this would be a ludicrous situation, and FTSE International should be urged to refine its Internet classification system.

Investors warm to invensys

Fresh from adding to the list of silly names (Elementis, Glanbia *et al*) quoted on the London Stock Exchange, BTR Siebe — which from later this month will be known as invensys — got down to some real business yesterday.

Its first acquisition since the merger, snapping up NEC's 47 per cent stake in Nippon Electric, which provides power supply products, is probably a classic bit of Far Eastern bottom-fishing. The figures are not large, but the acquisition is a typical old-style Siebe deal of buying an underperforming business — this one has operating margins of less than 1 per cent — with upside potential. An investment in the Far East may seem bold but BTR Siebe argues that the

markets in China, Malaysia and elsewhere remain huge.

Of greater importance was the company's other announcement yesterday that investors should not get too carried away by either the immensity or the value — touted at £1.9 billion — of the sale of its unwanted ex-BTR businesses.

The BTR Siebe merger was undoubtedly defensive. But if Allen Yurko, its chief executive, with the help of newly appointed advisers Goldman Sachs and Morgan Stanley, can raise that sort of money and reroute it into its chosen core of power controls and automation, then BTR Siebe can start to deliver on its promises to stand full square with its American counterparts. With its shares, at last, heading in the right direction, it would appear that investors, thus far, like what they see.

Another minefield

JUDGED by the standards of some recent Finance Bills, yesterday's effort, at 170 pages, was relatively short. The credit for that goes to Gordon Brown's welcome failure to 'reform' inheritance tax, which would undoubtedly have spawned the vast and incomprehensible verbiage that accompanied, for instance, largely pointless recasting of North Sea oil taxation. Ominously, the Treasury's explanatory document is now overtaking the Bill in length. It is a treacherous guide to an annual minefield.

Energy groups get chance to buy IPE stakes

By CARL MORTISHED, INTERNATIONAL BUSINESS EDITOR

THE International Petroleum Exchange (IPE) in London is preparing to launch a tender offer of shares in itself to eight or more European and American energy companies.

Potential investors include Distrigas, the Belgian gas company, Total of France, Nordpool, the Nordic power exchange, and OM Group, which owns the Swedish Stock Exchange.

The investor group is also believed to include Enron, the US energy company, which is active in trading gas and electricity futures.

The IPE is hoping to raise a minimum of £25 million from the sale of 70 per cent of the shares currently owned by exchange members. The new initiative means that talks with Nymex over the possible takeover of the IPE by its New York rival have been abandoned for the time being.

The IPE board yesterday approved the plans to seek new investment after several members of the exchange voiced disquiet over the sale to Nymex.

Lord Fraser of Carmyllie, the IPE chairman, said: "The

proposal for attracting external investment into the exchange and transforming it into a for-profit company is potentially very interesting."

Lynton Jones, the IPE chief executive, said that interested parties would be asked to bid for a stake in the exchange, with a maximum of 15 per cent per investor, and some £3 million would be earmarked for developing new markets.

He said: "One common factor is that the investors want to see a European-based integrated energy market. That could mean trading gas, electricity, emissions, and even weather."

Enron, which is thought to be interested in taking a stake in the IPE, is heavily involved in energy trading in the US, where energy companies can hedge future weather conditions by taking bets on a temperature index.

The IPE is keen to develop its existing gas trading activity further, as gas markets are liberalised in continental Europe. This could lead to a European gas futures market.

In electricity, markets on the Continent are further ahead in liberalisation. However, the IPE is involved in talks over the reform of the Electricity Pool, and the exchange intends to be ready to launch an electricity futures market when the new arrangements are announced next year.

Existing IPE members will be compensated for ceding control by some £300,000 per floor member seat.



Aquarius chief executive, Stephen Laddington, right, and finance director Mark Bates, yesterday unveiled a rise in group pre-tax profits by 31 per cent to £7 million last year. The bathrooms and household furnishings group said the results came despite deteriorating market conditions in the second half. A final dividend of 5.7p makes a total of 9.1p (9p).

Bid spotlight lifts Powerscreen

By MARTIN BARROW

SHARES of Powerscreen International rose 44½p to 149½p yesterday after the Northern Ireland building equipment company said it had received a bid approach.

The company, whose shares plummeted last year after two profit warnings and an investigation by the Serious Fraud Office into accounting irregularities, has been at the centre of takeover rumours in recent

weeks. At yesterday's closing price the company is worth about £140 million.

Speculation intensified in October when Sean Quinn, a businessman based in Northern Ireland, acquired a 6.1 per cent stake to become the largest shareholder. It was not clear yesterday whether Mr Quinn is involved in the bid approach. Mr Quinn is a friend of the former chief executive, Shay McKeown, who left after the Matbro affair.

Powerscreen shares peaked at 762p, valuing the business at more than £703 million, in 1997. But the company's strong stock market run came to an abrupt halt upon the discovery of accounting irregularities at Matbro, its agricultural equipment subsidiary. This led to the first of two profit warnings in January 1998.

The company's woes deepened after it warned it expected to slide into a pre-tax loss of £65 million for 1997, compared with profits of £42 million a year earlier.

Powerscreen has since implemented a disposal plan to reduce debt and refocus on its core businesses of crushing and screening. In January the company posted interim pre-tax profits of £9.7 million.

Specialist McKechnie on track

By PAUL ARMSTRONG

GREATER focus on specialist products has enabled McKechnie, the engineering group, to report a steady interim pre-tax profit of £28.6 million despite the sale of its Australian assets.

McKechnie yesterday unveiled pre-tax profits from continuing operations up 23 per cent, to £30 million, helped by the acquisition in May of the Arger aerospace products business in the US.

Andrew Walker, chief executive, said that McKechnie's strategy of focusing on more specialist engineering products was reflected in 23 per cent growth in operating margins, to 11.6 per cent.

Mr Walker said that the cyclical nature of the company's business had been reduced by an increase in direct sales to aerospace customers as opposed to supplying wholesalers.

"We have a lot more control in our marketplace now," he said. "That re-

flects the high engineering input we are putting into products."

Mr Walker said that Arger, and the purchase of PTM International in October, had fuelled a 38 per cent rise in operating profits from McKechnie's specialist products division, to £12 million.

Demand in the aerospace industry had helped to offset weaker demand for automotive components in the UK. The engineered plastics division, which makes the storage crates used in

many supermarkets, reported 29 per cent growth in profits, to £15 million.

However, McKechnie's consumer products businesses continued to suffer from weaker UK and European markets. The withdrawal from low-margin business in Australia also had an effect, leaving the division's profit 22 per cent lower, at £3.2 million.

McKechnie shares fell 3½p to 436½p.

Tempus, page 32

Board changes as JBA falls into red

By CHRIS AYRES

JBA HOLDINGS, the troubled software group whose shares have lost 88 per cent of their value since 1997, yesterday announced the resignation of two directors, and a plunge into the red during the year ended December 31, 1998.

The company, which produces so-called 'enterprise resource planning' software, aimed at medium-sized corporations, said that David Williams, finance director, and Kevin Jones, co-founder and technical director, had left the company on Tuesday.

JBA said that both men had 'expressed a desire to return to the smaller, unlisted companies' environment. Mr Williams will receive an estimated compensation package of £266,000, while Mr Jones, who said he planned to leave last year, is expected to receive no severance pay.

Other changes during the year included Alan Vickery, the company's co-founder and chairman, handing over the position of chief executive to Ken Briddon, formerly chief operating officer.

Yesterday, JBA reported 'very disappointing' losses of £1.7 million for 1998, compared with profits of £5.2 million. Sales rose 31 per cent to £293 million, while losses per share were 20.92p, compared with 10.12p earnings per share.

Mr Vickery said: "A very poor December in 1998 stalled the considerable progress management had made in restructuring JBA. Nineteen ninety nine has started well and the results are ahead of budget. This, together with a more conservative and less back-end loaded revenue profile, gives us confidence the task will be completed in 1999."

The boardroom shake-up at JBA, and Mr Vickery's trading statement, caused shares to rise 12 per cent to 149p yesterday, compared with £12.57½ in 1997.

Advice on interest rate changes from 1 April 1999.

30 Day Notice Account - Annual		
	AER/GROSS	OM AER
£100,000+	5.00	5.15
£50,000-£99,999	4.70	4.85
£25,000-£49,999	4.55	4.75
£10,000-£24,999	4.30	4.50
£5,000-£9,999	4.05	4.05
£2,500-£4,999	3.80	3.80
£250-£2,499	3.20	3.20
Under £250	0.75	0.75

30 Day Notice Account - Monthly		
	AER	GROSS
£100,000+	5.00	4.89
£50,000-£99,999	4.70	4.60
£25,000-£49,999	4.55	4.46
£10,000-£24,999	4.30	4.22
£5,000-£9,999	4.05	3.98
£2,500-£4,999	3.80	3.74
£250-£2,499	3.20	3.15
Under £250	0.75	0.75

90 Day Notice Account - Annual		
	AER/GROSS	OM AER
£100,000+	5.21	5.30
£50,000-£99,999	4.95	5.01
£25,000-£49,999	4.66	4.76
£10,000-£24,999	4.40	4.51
£5,000-£9,999	4.21	4.40
£2,500-£4,999	4.11	4.33
£1,000-£2,499	4.00	4.28
Under £1,000	0.75	0.75

90 Day Notice Account - Monthly		
	AER	GROSS
£100,000+	5.21	5.09
£50,000-£99,999	4.95	4.84
£25,000-£49,999	4.66	4.56
£10,000-£24,999	4.40	4.31
£5,000-£9,999	4.21	4.13
£2,500-£4,999	4.11	4.03
£1,000-£2,499	4.00	3.93
Under £1,000	0.75	0.75

Classic TESSA - Annual		
	AER/GROSS	OM AER
£8,400+	6.11	6.41
£6,600-£8,399	6.11	6.36
£4,800-£6,599	6.01	6.36
£3,000-£4,799	6.01	6.36
Under £3,000	5.79	5.79

STOCK MARKET

MICHAEL CLARK

Lasmo and Enterprise slip as FTSE moves up

FED ON a further diet of merger news and speculation, share prices ended the first quarter on a firm note.

But with Wall Street giving up early gains, the best levels in London were not held. The FTSE 100 index, having been 90 points higher earlier in the session, closed 31.2 up at 6,295.3. The FTSE 250 index was 0.6 down at 5,475.2 with total turnover falling short of the billion share mark.

The breakdown in merger talks left Lasmo nursing a fall of 84p at 125p, while Enterprise Oil shed 10p at 256p, partly reflecting the decision to suspend drilling at its Llanos appraisal well in the US.

Shareholders must now be wondering what the future holds for the two companies.

Of the two, Enterprise appears to be attracting the most support with Credit Suisse First Boston, the broker, rating the shares a "buy" up to the 400p level. BT Alex Brown also rates them a "strong buy".

GEC raced up 13p to 558p after a meeting with brokers on Tuesday. Some came away from the meeting with the view that the proposed merger of GEC's Marconi with British Aerospace's defence arm will escape a referral to the Monopolies and Mergers Commission.

Deutsche Morgan Grenfell, the investment bank, has been overhauling its portfolio. It has cut its rating for Zeneca, 24p down at £29.21, from "outperform" to "underperform" on the back of a strong performance last month. It has also downgraded Ladbroke, off 21p at 278p, from "outperform" to "neutral" after its recent strong performance. Some brokers insisted the setback for Ladbroke reflected the profits warning at Stanley Leisure, down 22p at 275p.

Laporte retreated 9p to 533p as HSBC Securities, the broker, cut its rating for the shares from "buy" to "add". It says the shares have been a strong market, outperforming by 17 per cent during the past eight months.

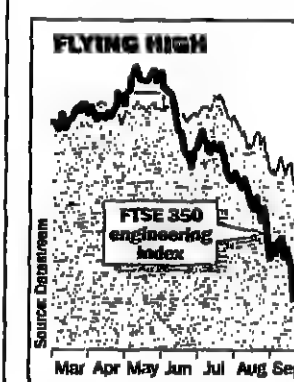
A new lease of life was discovered by Marks & Spencer with the price climbing back above the 400p level with a rise of 18p at 408p as 12.2 million shares changed hands. Earlier this week, the group announced plans to shed 200 middle managers jobs at its London headquarters.



Terry Green saw Debenhams drop 13p as Merrill Lynch cut its rating in the shares from "accumulate" to "neutral"

Merrill Lynch, the broker, reckons Debenhams has begun running ahead of events and has duly cut its rating in the shares from "accumulate" to "neutral". Debenhams, headed by Terry Green, chief executive, remains its favourite play in the retail sector, but the price dropped 13p to 475p in response.

Fresh institutional support



FLYING HIGH
The FTSE All-share Index (rebased) has risen from 1,600 in March to 3,200 in February. The FTSE 250 engineering index has also risen from 1,600 in March to 2,000 in February.

BUSINESS in the aerospace industry has been booming. This year will see the current civil delivery cycle reach a peak and that has begun to depress share values.

But BT Alex Brown, the broker, says that this weakness should provide clients with the opportunity to invest for the long term.

It expects deregulation to lead to a broadening of the civil aerospace market and this, combined with increased defence procurement and a booming satellite and space industry, the downside appears limited.

"On the contrary, the long-term dynamics of the industry remain attractive and it is opportune to increase holdings," says Brian MacDonald, who covers the defence engineers for BTAB.

He rates British Aerospace, up 1p at 415p, as a "buy" despite current uncertainty over the proposed merger of its defence interests with Marconi. Also on his shopping list is Smiths Industries, up 25p at 916p.

lified Nycomed Amersham 36p to 540p. Bill Castelli, chief executive, yesterday gave a presentation to institutions at a roadshow arranged by Salomon Smith Barney, the US securities house.

Premier Farnell stood out with a rise of 21p to 216p after some favourable comments from Henderson Crosswhite, the broker. This also benefited

Electrocomponents, up 18p at 465p, which has already secured the backing of HSBC Securities, the broker.

The speculators continue to top up their holdings in Pilkington, 3p better at 82p, as a further 12 million shares changed hands. They maintain St Gobain is poised to offer 100p a share.

AEA Technology, which issued a profits warning last week, fell a further 7p to 341p. Dr Peter Watson, chief executive, has bought 10,000 shares at 375p. He now holds 30,205 shares. Earlier a bid was made for AEA by Sir Anthony Cleeve, chairman, bought 10,000 shares. The price has collapsed from a peak of £10.29, and AEA looks vulnerable.

Luminar firmed 8p to 450p as Merrill Lynch raised its recommendation for the mining company from "accumulate" to "buy". Merrill has also been raising its earnings estimate for Billiton, steady at 149p, and has been urging clients to switch out of Rio Tinto, down 22p at 899p.

Speculative buying hoisted Mears, the building maintenance contractor, 14p to 134p. Mears is tipped to be a bid at some stage. Carlisle is the entrepreneur's latest vehicle with a war chest of between £70 million and £90 million to spend on acquisitions. Mears reported a 26 per cent rise in profits last year and should achieve £1.2 million this time round. Eagle Investment Trust acquired 12 per cent of the shares last week.

GILT EDGED: Hopes of a cut in interest rates next week continued to fuel bond markets. Prices opened higher in this trading with investors also topping up their holdings ahead of the close of the first quarter.

After their early mark-up prices tended to slide sideways for much of the session.

In the futures pit, the June series of the long gilt rose 34p to £117.34 in this trading that saw just 20,000 contracts completed. Annual conventional issues, Treasury 7 per cent 2002 was 8p better at £106.77, while at the longer end Treasury 8 per cent 2021 finished 5p dearer at £146.81.

NEW YORK: Blue chips were lower as inflation and interest rate concerns crept back into the market. By midday the Dow Jones industrial average was 13.32 down at 8,999.94.

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Britain's top bosses are the highest paid in the main industrial countries of Europe and Britain's factory workers among the lowest paid, according to a survey of surveys conducted by Management Today magazine.

Redundancy payments of ordinary employees are among the lowest as a percentage of annual pay, about three months on average, while company reports suggest that top directors can usually expect a year's pay, even if they are not among the world class elite with ludicrous contracts.

Top rate taxes were rightly slashed in the 1980s to allow business leaders to keep greater rewards, to stop the highly paid in all walks of life emigrating to tax havens and to remove the perceived need for top executives to spend large and unproductive chunks of their presumably productive working lives closeted with their tax accountants.

Reformers did not anticipate the main consequence. A collective Yippee was followed by huge rises in top pay that persist untrammelled

by the advent of a Labour Government and are totally immune to the downturn in inflation or company earnings growth.

We all know why the gaps are widening. Bosses fix employees' pay on the basis that this is a variable business cost. They fix their own pay, or the pay of those they encounter in daily meetings, dinner parties or the executive washroom, on a somewhat different basis.

Our organisation needs the best, so we must attract or keep the best people by paying them the market rate plus a bit, plus a smarter car, plus reliable bonuses, plus better share incentives. What cheapskate economics it would be to let our competitors pay more for top managers and therefore, by implication, have better bosses.

No matter that there is scant evidence that this does anything more than ratchet up top pay. The rela-

tively egalitarian John Lewis Partnership may have performed far better than any comparable department store group but that is surely an exception. Or so the mutually reinforcing culture, abetted by pay, incentive and recruitment consultants, would have us believe. Incentives are what it is all about, plus guarantees, naturally.

Bosses' pay in Britain would be easier to defend if the gulf between the pay and conditions of those deemed crucial to business performance and those regarded chiefly as a factor cost were not widening. But prejudice should not cloud our social judgments, however smug-ridden board remuneration committees have become.

Our flexible labour market is working. After long bad times, low UK unemployment contrasts with bulging job queues on the Continent. That matters. The Govern-



GRAHAM SEALJEANT

ment rightly emphasises that the biggest cause of poverty among those of working age is having no income from work. Other things being equal, the more people in work, the fewer people are poor, almost regardless of the distribution of working people's incomes. That equation would work better if those on low incomes paid

less tax on that income, logically at the expense of those on higher incomes. But taxes on high incomes remain lower than almost anywhere else as part of the 1980s dispensation. In America, where taxes on the wealthy are higher but more easily avoidable, a different ethic prevails. The monied are expected to devote income on a systematic basis to community, social or charitable causes. Charitable foundations are commonplace.

In the UK, Tony Blair's mantra about rights going along with duties has simply not been applied to the top managers or to the many more in the City who draw equal or greater rewards. Only in the Jewish business community is systematic giving, rather than the mere social requirement of costly conspicuous consumption, understood as the obligation of wealth. To ratify low taxes on high in-

comes, anyone who is a millionaire on the basis of the present value of their future income and capital gains should be giving heavily to the community. People worth £10 million should devote a systematic chunk of their income to social projects, whether charitable or private. Those worth £100 million should divert a big share of their income to a charitable foundation. Patronage is the proper alternative to incentive-sapping taxes.

Social inequality is, however, inherently a sideshow to the non-sense of business pay policies. The main failing is the apartheid between chasing quality in top management and applying only cost-saving to lesser employees. Business is simply not willing to pay extra for most of the skills that make firms work. British business pays most for accountants, but scrums on marketing, engineering and

technical skills, compared with our main competitors.

Do we not care about such skills or do we think that, in these areas, pay has nothing to do with quality? At the lower level, things are even worse. A study by Francis Green, of the University of Kent at Canterbury, presented to the Royal Economic Society this week, suggests that most non-specific skills attract no significant pay premium. Only the computer-literate score significantly, and that may well prove to be a transitional phase.

Worst of all, the CBI and individual bosses constantly complain that the education system fails to turn out enough people who are skilled in communicating, team working, making presentations, problem solving and the like. Yet Mr Green's extensive study found that industry offered no significant pay premium for such skills.

Managers do not seem to believe in market forces at this level. At board level they demand giants. Lower down they are happy with monkeys. No wonder our underlying growth rate is so low.

Tax cuts not all they are made out to be

FINANCE BILL: Alasdair Murray looks at the details and traces the Chancellor's sleight of hand

As the Chancellor really reduced our taxes? Ever since Gordon Brown sat down at the end of his Budget day speech last month, the doubts have been growing about the real impact of the Budget. Mr Brown has appeared all too willing to tailor his message for the audience. Opposition politicians have seized on the inconsistencies, saying Mr Brown has no right to stake a claim as a tax-cutting champion.

The 1999 Finance Bill, which was published yesterday, provides an opportunity to finally draw some conclusions from the debate during the past month. The Bill, which turns Budget promises into legislation, is the last chance for Mr Brown to speak in some nasties in the fine print and clarify some of the outstanding uncertainties.

In the event, the Bill proves an anti-climax, with Mr Brown appearing to resist the temptation to indulge in any further subterfuge. The majority of the 170-page document relates to often obscure and complex tax avoidance measures. Relatively minor tax reforms take up a disproportionate amount of space while centrepieces of the Budget speech, such as the introduction of the new 10p starting rate, are dealt with quickly and simply. Even the City accountants, always on the look-out for some hidden sub-clause which could cause their clients huge losses, admitted that there was little in the Bill which had not emerged during the Budget speech and the ensuing debate. "Disappointingly boring," was the City's refrain.

There is the occasional quirk. Boats, the high street pharmacy, may not be too pleased that the tax relief on bus services for employees only comes into effect from April 6, meaning they could

face large back-taxes on the long-standing service at their Nottingham headquarters. The Bill contains legislation for the children's tax credit, even though the new system does not come into effect until April 2001. This raises the question why the Chancellor needs to wait so long to introduce one of the Budget's centrepiece ideas and also felt the need to deprive families of any tax relief at all during the "missing" year between the abolition of the married couple's allowance and the introduction of the new credit.

The Chancellor has also decided to keep a typically "prudent" grip on the 10p starting tax rate by changing the usual rules on the inflation-linked annual increase in the size of the band. Instead of rounding the rise upwards to the nearest £100, for the new 10p rate the Inland Revenue will only round up to the nearest £10 saving the Treasury up to £100 million a year.

Yet these new elements represent small change as far as the Budget as a whole is concerned. The real dispute is not over what has eventually emerged in the Finance Bill itself but Mr Brown's apparently cavalier regard for the truth in the Budget speech itself and the debate that followed.

The Chancellor has adopted a two-pronged strategy in his desire to be considered a tax-cutter. First he uses public perception — the headline grabbing moves such as the introduction of the new 10p tax band and the 1p cut on basic tax to 22p. There is no mention of the abolition of the existing broader 20p band and little reference to the fact that the 22p band only clicks in next year. More importantly, previously ignored tax changes such as the abolition of the dividend tax credit — which is only coming into effect next week

raising £5.7 billion over the next three years — are completely ignored.

Then there are Mr Brown's Treasury figures. In the narrowly defined sense of the remainder of this Parliament he is able to demonstrate that taxes will fall. Yet as the Treasury Select Committee has made clear this relies on two dubious assumptions. The abolition of mortgage interest rate relief, worth some £2.75 billion a year to homeowners has been classified by the Treasury as a cut in spending rather than an increase in tax. The working families tax credit has, in contrast, been categorised as a tax cut when a number of organisations have insisted it should be treated as a rise in social security spending.

Without this sleight of hand, Mr Brown's tax-cutting claims are reduced to rubble. Remove these two anomalies and the tax burden is set to rise by £100 million across the remainder of this Parliament. Maurice Fitzpatrick, head of economics at Chantry Vellacott, calculates that taxes will have risen from 35.4 per cent of GDP to 37.6 per cent of GDP across the whole of the Parliament. That is a total tax increase of £21.5 billion or 7.7p on the basic rate of income tax.

These broad figures say little about the real impact on individuals. Various vulnerable groups are only now learning that the Chancellor has had his hand in their wallets while still talking about providing extra help.

Of course, this all might change. The Chancellor has at least one, probably two, more Budgets before the next election. He gave a nod and a wink at the Treasury Select Committee that there could be further tax cuts — provided the economy meets Treasury expectations. The trouble is that even if the Chancellor genuinely does cut our taxes, will anyone now believe him?



Gordon Brown before his Budget statement last month

Never mind the quality of speeches — feel the brevity

FINANCE BILL: James Landale on the history of Budget statements

The length of Budget statements has largely declined over the years and with it the amount of information given to MPs before Finance Bills are published. Chancellors of the Exchequer in the 19th century could never be accused of under-informing the Commons.

Benjamin Disraeli delivered a Budget statement in 1852 that lasted for five hours, albeit with a short break. William Gladstone inevitably tried to go one better the following year and spoke continuously for four and three-quarter hours, a total of 35,000 words.

However, apart from a statistical blip in 1867 when Disraeli secured the record for the shortest Budget speech of 45 minutes, the duration has gradually reduced to an average of about an hour and a quarter.

While the amount of information that Chancellors give out in their Budget statements has declined, the scope of Finance Bills has increased: there is simply more money involved, more complex regulations and more government activity to cover.

Tony Blair once described Gordon Brown as his "Lloyd George", hinting that the two Chancellors were similarly redistributive and radical in their approach to public finance.

But analysis of the original "People's Budget" delivered

by Lloyd George in 1909 shows the comparison has its limits. While Mr Brown might like to be brief in the Commons, his Welsh predecessor felt no such restriction to his loquacity.

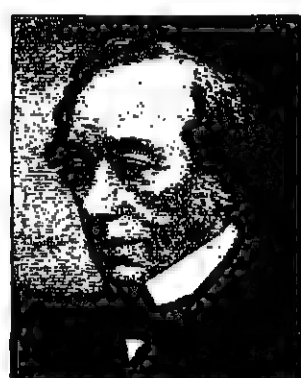
Lloyd George's 1909 Budget speech lasted for an extraordinary four and a quarter hours — with an undoubtedly welcome half-hour interval.

One of the most radical and comprehensive Budget speeches ever, it introduced among other things the old age pension and a controversial "super tax" on the rich. Although Lloyd George was a Liberal, his Budget was as redistributive as any old Labour MP would like.

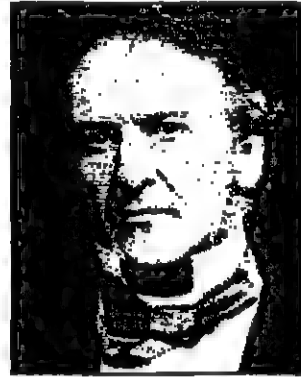
The subsequent Finance Bill — which the House of Lords blocked for two years — ran to 50 pages, with 96 clauses and six schedules.

In contrast, Gordon Brown's three Budgets have lasted respectively just 63 minutes, 64 minutes and 69 minutes. The Finance Bill published yesterday ran to more than 170 pages, with 129 clauses and 20 schedules. As if this was not enough, the Bill came with some explanatory notes more than 500 detailed pages long. And that is not to mention the so-called Red Book, a glossy outlining detailed changes.

The only Tory in recent times to beat Mr Brown for brevity was Nigel (now Lord) Lawson who spoke for just 59 minutes in 1987.



Disraeli: shortest Budget



Gladstone: long-winded



Lloyd George: interval

Nut & Boat

ONE of the two traders suspended at GNI, the futures and options broker, after a dealing scandal has quietly restarted work on the trading floor. But there is no sign of the other, who is still under investigation.

The scandal broke at Liffe, the futures trading market, a couple of weeks ago when a GNI client discovered a series of unauthorised trades had taken place on his account. One transaction alone has cost the client, thought to be an American bank, £200,000. It came at a bad time for

Liffe, which is nearing the end of its long-running inquiry into Refco Overseas, another broker. Meanwhile rumours persist at the exchange of the involvement of another big player in fraudulent trading.

Julian Rodgers-Collman, GNI's deputy chief executive, said no client had been disadvantaged as a result of the affair. He also denied reports that the client in question had sacked his company in protest. Justin King, one of the two suspended traders, has apparently been cleared and has returned to work. But the inquiry continues into the activities of the other, Lee Redican.

I hear that both have colourful nicknames on the trading floor, which is not known for its politically correct humour. Redican is known as "Nutter"; King is referred to as "Boat", apparently because of his striking resemblance to a Vietnamese refugee.

AS WE await the formal announcement of BP's bid for Arco today, I hear of some jokes doing the rounds at Amoco, the last "merger" victim of Sir John Browne at BP which might strike a chord at Arco. What do you call our new



What do you call our old chief executive? Sur-render. And what do you call our management in Chicago. Sur-plus to requirements. And what's the British pronunciation of BP Amoco? BP — the Amoco is silent.

Spa partner

JUST in time for the flotation, a former vice-president of Goldman Sachs is spilling the beans on life at the American investment bank. Goldman Sachs: The Culture of Success is published in this country on May 6, and pretty awful it sounds, according to Lisa Endlich, who understandably left about four years ago and now makes her living as a writer. She recalls a top manage-

which, according to the written schedule she was issued, would start at 3pm on Friday. And finish at 3pm on Saturday, with a minimal time set aside for sleep. But there was one allowance made for those not entirely wedded to their jobs. "The health spa opens at 6am in case you want to work out before breakfast," the memo added.

THE penchant among merchant bankers for living out their James Bond fantasies by giving takeover targets silly codenames will some day cause someone grief, because they are becoming easier to spot. I hear that the names in Stanley Leisure's takeover bid for Capital Corporation were Stake and Chips (St...anley and C...apital).

Roux the day

IT BEING March 31 as I write, there are some awfully silly stories being prodded my way. I think we can safely discount suggestions that Albert Roux at Le Gavroche is planning his own fast food takeaway service, to be named Eat Vite.

Likewise, it is unlikely that researchers at the Swiss Institute for Neurochemical Research, on discovering a new part of the brain, have coincidentally proved that investment fund managers have no sense of humour. My school-

boy German suggests that Professors Vogelheim and Drekkenskopf, should they be contactable, are not going to enlighten us further.

Which leaves the investment software company whose product, offered to me free and based on astrological trading forecasts, will track market trades both past and future. "Live interaction with psychic trading experts," it says.

Very droll; but I have heard much sillier suggestions made in all seriousness. These being the last days of the millennium, I suppose this year's crop of April Fools will have some difficulty in surpassing reality.

MARTIN WALLER
city.diary@the-times.co.uk



Pulling a fast one: stories that Albert Roux plans a takeaway can be discounted

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Sales are down but

David S Smith in packing alliance

David S Smith is linking up with Kappa Packaging of The Netherlands, and Saica, of Spain, to launch a Europe-wide packaging alliance to serve multinational customers.

The three companies have agreed to provide customers across Europe with standardised packaging and supply arrangements as part of an alliance to be named InPack.

Smith supplies corrugated packaging for manufacturers in the food, health, automotive and electronic sectors from plants in the UK, Germany, France, Italy and Poland. The alliance with Kappa will add manufacturing capability in the Benelux countries and Germany, Norway, and the Czech Republic, while Saica has facilities in Spain and Portugal.

Smith said that it was a commercial arrangement with no change of ownership. "Multinationals that market global brands want a one-stop supply of packaging," it said.

Telspec's loss

Telspec, the troubled telecommunications equipment manufacturer, yesterday said that recent problems had been solved, "but at a great cost to profitability". It reported a pre-tax loss of £5.3 million for the year to December 31, against profits of £4 million the previous year. Sales fell to £51.8 million, from £53.1 million, with Telspec blaming its problems on economic turmoil in Asia, Latin America, and Eastern Europe. It said that its core business remained "fundamentally sound", and that it had undergone a management shake-up in the past year. An unchanged 0.1p final dividend is due on June 1.

Halstead ahead

James Halstead, the commercial flooring group that also sells Driza-Bone outdoor clothing, lifted pre-tax profits 5 per cent, to £3.65 million, in its half year to December 31 on sales up 7 per cent, to £38 million. Earnings per share were 10.31p, up from 9.92p. The interim payout is 3.875p, up 3.3 per cent. The shares rose 4p to 174p.



Gate receipts from the fans account for 50 per cent of the turnover at Newcastle United, where Rudi Voller took over as manager last August

Ticket price rises will drive fans away, soccer clubs told

Leeds chief delivers warning on players' wages along with higher profits, says Paul Armstrong

PREMIER League football clubs are in grave danger of losing fans if they keep trying to recoup soaring players' wages through higher ticket prices, Peter Ridsdale, the chairman of Leeds Sporting, said yesterday.

Mr Ridsdale, whose company owns Leeds United, said rises of 20 to 30 per cent a year in players' wages were unsustainable and supporters would not be prepared to shoulder the costs.

"The industry has to have some recognition of its costs versus its income," he said.

"There has to be a point at which people stop and look at what we are doing to ourselves and realise that a number of clubs are on the threshold."

Mr Ridsdale's warning came a day after Manchester United revealed that it would charge an extra £2 a ticket next season, a rise of 14 per cent, to help to fund its rapidly growing wages bill.

David Gill, Manchester United's finance director, said rising wages for players was one of the most challenging is-

suess facing the club. He defended the ticket price increase on the grounds that it would make the club's tickets only the ninth most expensive in the Premier League. This ranking excluded the price rises to be announced by rival clubs for next season.

Leeds Sporting, which is yet to decide its ticket price increase for next season, revealed yesterday that it had made an interim pre-tax profit of £1.9 million, up from £11,000 previously.

Turnover was 30 per cent higher at £17.75 million, but no dividend was declared.

Newcastle United also released its interim results yesterday, saying pre-tax profit was down 23 per cent to £5.6 million, although this included the adverse impact of changes in accounting standards. Turnover fell 19 per cent to £25.2 million and the interim dividend was steady at 0.6p.

Mr Ridsdale said Leeds was continuing to diversify its business to help to cope with rising costs.

It had started three new businesses - a travel agency, a financial services group and a publishing company - and was considering several other initiatives.

The total increase in players' wages was restricted to 6 per cent, although he said this could rise to as much as 11 per cent for the full year depending

on bonus payments. Mr Ridsdale also pointed out that the contracts of eight of Leeds' first team players expired within two to three years.

He said the huge increase in earnings from television rights in recent years, which now account for 26.6 per cent of Leeds' turnover, had flowed to players rather than shareholders.

"What happens in 2001 if BSkyB [the satellite broadcaster] say they don't want to back

the Premier League?" Mr Ridsdale asked. "If that happens, two-thirds of the clubs will be under significant financial pressure."

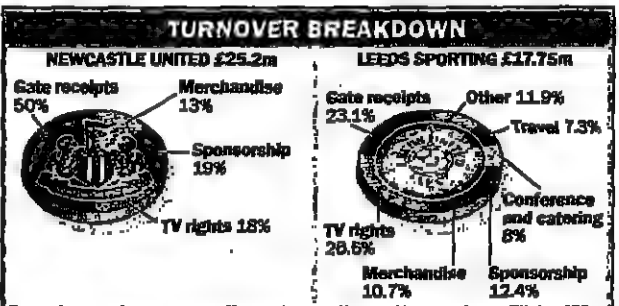
"Everybody who could get sucked into the relegation battle in the Premier League is scared stiff and even Manchester United would recognise the pressure."

Mr Ridsdale said the onus was on individual clubs to deal with the issue because there would not be a collective approach.

Freddie Fletcher, Newcastle's chief executive, said he saw no reason why profits from television rights would not continue to grow strongly, saying "pay-per-view would become common place".

"If you look at BSkyB it has been mainly driven by football and I see no reason why that would not continue," he said.

Mr Fletcher said Newcastle was experiencing strong demand for the extra season tickets that would become available as the result of the expansion in capacity at St James' Park from 36,800 to 51,000.



Mitsubishi to shed 10% of workforce

By MARTIN BARROW

MITSUBISHI, the Japanese electronics company, is to cut its workforce by 14,500 over the next three years.

The cutbacks, which represent about 10 per cent of the company's global workforce, have been forced on Mitsubishi by the slump in demand for its products, particularly in Asia.

Mitsubishi, one of Japan's largest consolidated electronics manufacturers, makes everything from semiconductors to nuclear power plants.

Mitsubishi has been struggling with huge losses due to falling semiconductor prices and weak demand for consumer products such as refrigerators in Japan.

The company expects a group pre-tax loss of 80 billion yen (£414 million) for the financial year that ended yesterday. Mitsubishi hopes the cost-cutting measures will help it boost its group pre-tax profit to ¥120 billion by March 2002.

Mitsubishi plans to cut 8,400 jobs in Japan by the end of March 2002 and lose 6,100 jobs at overseas subsidiaries.

Although the company did not specify which overseas operations will be closed, the plan raises doubts about the future of a number of its plants in the UK.

In April 1998 it closed a television factory in Haddington, East Lothian, with the loss of 500 jobs. It also shed 350 jobs at its plant in computer components and assembly plants in Courack, Renfrewshire, and cut 25 sales and administration jobs at its UK head office in Hatfield, Hertfordshire, which employs 395 people.

The company presently employs an additional 720 people at an air-conditioning plant and video recorder manufacturer in Livingston, Lothian.

Layoffs have become more common in Japan due to the long economic slump but are still rare at top firms such as Mitsubishi, where employees are hired with an implicit guarantee of a job for life. However, NEC and Sony recently announced job cuts on a similar scale.

Alpha Airports cuts dividend

By MARTIN BARROW

SHARES of Alpha Airports fell sharply yesterday after the airport services and retailing company cut its annual dividend following a decline in 1998.

The shares fell 8p to 62½p after Alpha announced a cut in the total dividend to 3p a share from 5.34p, with a final 1.6p after what Kevin Abbott, chief executive, said had been a demanding year.

Underlying pre-tax profits fell to £25 million from £28.7 million, largely due to the anticipated expiry of the duty-free retail management contract at London's Heathrow airport. A £61.3 million fall in turnover to £640.9 million was also attributed to the end of the contract.

During the year Alpha sought offers for its retail business to release funds to invest in its other businesses of catering and ground services.

However, in the absence of what the company described as "an acceptable offer" it decided to retain the business and develop it through the period of uncertainty brought about by the expected abolition of duty-free and tax-free allowances within the European Union.

The aborted sale gave rise to a charge of £2.1 million. In addition, Alpha took an exceptional charge of £5.9 million against the restructuring of the duty-free operation in Orlando, Florida.

Alpha's retail profits fell to £7.8 million from £12.9 million and Mr Abbott said a further decline was inevitable if duty free is abolished in the EU in June as planned. Profits this year will also be adversely affected by the expiry of the London Gatwick management contract, also in June.

Outsourcing is the in thing

Brian Birkenhead says companies should not be afraid to contract out treasury operations

Outsourcing financial services is becoming big business. Not only does the customer benefit from a professional approach, but cost savings result.

However, many financial directors (FDs) are reluctant even to consider outsourcing their treasury operations since they regard treasury management as a core activity of the company, the source of competitive advantage, best done internally and not to be trusted to others. Some may fear that their boardroom colleagues will think less of them if they need to "contract out" these activities. Although very large organisations will continue to have substantial internal treasury departments, the medium to smaller-sized company may never have had an internal treasury and now finds it increasingly difficult to cope without one. Outsourcing provides a new and attractive alternative to meet the need for specialist skills.

When faced with the latest whiz-bang derivative product from the company's banker, the finance director is well advised to be guided by the old adage, "If you don't understand how it works, then don't do it". Rocket scientists with PhDs working with a bank's comput-

ers are brilliant at inventing ever more complex product, but they tend to be less expert at explaining the full implications and risks. FDs and treasurers have to devote much time and effort to achieve a level of understanding. Accountants find that their system cannot cope with the complexity of the products on offer and worry about control. Financial reporting standards are going to require frequent market valuations of financial instruments, and some products from banks pose real problems of valuation. Some FDs feel that there must be a better way of ensuring proper governance and control while not denying themselves the benefits of what may be genuinely useful products.

As a result, finance directors are beginning to consider outsourcing treasury management as a way of overcoming these difficulties, and of seeking efficiencies, cost savings, risk reduction and enhanced information from specialists.

Too frequently, the consequences of poor treasury management are not identified in the financial reporting of the company and so, rather than tackle this challenging area, the FD leaves it well alone. But others accept that their training may prepare them inade-



Brian Birkenhead says everyone can benefit from outsourcing

quately and embrace the idea of outsourcing.

But how does it work? The kind of service envisaged here is similar to that provided by fund managers to the company's pension fund. FDs are comfortable in outsourcing this activity and should be equally comfortable with a similar service managing the com-

pany's, rather than the pension fund's, cash resources. A specialist provider can deliver not only the specialist technical knowledge, but also benefit from the economics of specialisation, and should outperform in-house execution of treasury transactions at lower cost. Importantly, control can be enhanced because the provider

can justify investment in complex dealing software and technology. Dealing is undertaken from screens showing the current market rates, telephone conversations are recorded, and deals are automatically confirmed to the correspondent bank and written to the in-house system by an individual remote from the transaction.

The lines of communication between the FD and his outsourced treasury have to be based on a detailed service level agreement. The provider will be required to deliver a measurable service demonstrating value for money, at demonstrably lower cost than the in-house alternative. Policy, objectives and authorities for discretionary action must be clear. The company's cash needs will be set out flexibly. Meetings between the FD and the service provider will be regular and ensure that outside events can be dealt with easily, on the basis of accurate and up-to-date information.

The risk of the rogue trader will always remain, but the process of creating a service level agreement will be a catalyst in creating clear treasury policies and authorities for action. Moreover, the service provider will have more staff and can ensure complete segregation of duties, unlike most corporate treasuries.

Brian Birkenhead is a former chairman of the Hundred Group of Finance Directors and group finance director of National Power

Clients will suffer in this clash of egos

IT IS A wonderful spectacle. After all these years of the great accounting and professional services firms arguing that a partnership ethos meant that they could do things differently, they are all falling into the corporate trap. Strategy is driven by ego.

Take the latest move to the convoluted global dance. The chairman of KPMG in Canada, having given his partners in Canada and around the world a written assurance that he hadn't done a deal to sell the firm to Arthur Andersen, promptly does so. Meanwhile, KPMG partners around the world are still agitated at their American chairman's insistence that the American firm should flog off a large chunk of the ownership of their consulting business, despite the fact that regulatory pressures mean that nothing can happen until the end of the year at the earliest.

All this started at a fateful meeting in mid-October 1997 at KPMG in London. Steve Butler, who heads up the American firm, told the rest of the partners present that he had done a deal with the American chief of Ernst & Young to merge the firms. And the rest of them could shape up and join in or, to put it politely, not. Huge animosities between America and Europe built up. The deal fell to bits.

However, it was unsettling. It meant that parts of the KPMG empire were always likely to be prone to falling out of the fold. Then KPMG, belatedly, started trying to wrest back the initiative. Colin Sharman moved up to become global chief with a brief to create a proper world firm.

Meanwhile the KPMG Canada firm, which has always been a bit of a loose cannon, started wobbling. In the past, it has been an affiliate of almost every big accounting firm there is. And its chairman, Spencer Lanthier, is not noted for being emotionless. "As a firm, they had a talent to get up people's noses," one partner put it this week.

Sharman's plan was to bring Canada into a regional firm covering all of the Americas and, slightly confusingly, Australia and New Zealand. But Lanthier didn't like the idea. He thought it would take too long and be too costly. More significantly, it would threaten his empire. KPMG Canada has a huge number of offices and partners. Under the KPMG plan, many of these would go. As Sharman put it in a memo to his fellow partners, Canada was "over-of-

ficed and over-partnered". It has more partners than the UK firm, but with a third of the fee income.

However, it seems odd, if that is what you are trying to protect, to dive into the arms of Arthur Andersen. Andersen, of all firms, is quite ruthless in sorting out its organisation.

In short, what you have is a mess. And you have senior people in a variety of firms around the globe snarling at each other. And you have a Canadian chairman stepping out of what he fondly believes to be the frying pan into something that he believes is not the fire. His fellow partners, who have to vote on the decision across the next week, may take a different view.

This is a crucial time for the big professional services firms. They are growing at the most astonishing rate. They dominate their market. But they are losing their grip on their own organisations. Ego, as ever, is the problem. In America, in particular, both Ernst & Young and KPMG are run by chairman-who-see-them-as-personal-fiefdoms rather than full partnerships.

However, the greater problem is probably that of re-organising. There was a tendency to say that, with fees pouring in through the roof, the organisation could take care of itself. And that means that with Sharman trying to get a grip on the KPMG world structure, there are changes to be made that seem harsh only because they should have been attended to years ago. Rumour has it that the penalty clause for a firm leaving the organisation is being shifted up to a punitive 100 per cent of net fees. Until now it has been a somewhat feeble 3 per cent. You can see how a change of that magnitude, realistic though it is, could bring about resentment.

The firms argue that their internal problems are ring-fenced from the rest of the firm. Client care does not suffer. Arthur Andersen says that it has a 12-man team working on the messy arbitration process in its divorce proceedings with its sister firm, Andersen Consulting. So everyone else in the empire can simply get on with their work unclouded by worry or apprehension.

This is nonsense. All businesses take their cue and their culture from the top. If they are run by quarrelling robber barons, it will inevitably be clients who suffer in the end.



ROBERT BRUCE

That's Life but not as we audit

THE partners of KPMG Canada, who seem poised to merge with arch-rivals Arthur Andersen, have never been very good at getting on with their fellow partners around the world. Take the Standard Life affair. It was an extremely complicated dispute. But in essence KPMG Canada lived in a building in Toronto owned by Standard Life, the Scottish life assurance group. KPMG had

in Scotland did the Standard Life audit. KPMG Canada fell out with their landlords. And amid the ensuing acrimony, KPMG in Scotland, blameless in the affair, had the audit taken away from them. "We had held it for over 100 years," recalled one plaintive partner.

Particular gift
LAST week's annual conference run by the Scots ICA was

chaired with great aplomb and impromptu wit by Robert Smith, chief executive of Morgan Grenfell Asset Management. The conference was heavy on topics such as "Sustaining a world-class performance" and "Creating a world-class company". But Smith's heart is elsewhere. At the end of the event, the organisers gave him a gift in thanks for his efforts. It was a Partick

Thistle shirt autographed by the full team. Partick currently languish, despite their support from the fiercest end of the Scottish accountancy profession, halfway down the Scottish second division.

Gentle Touche
THE great shake-up among accountancy firms around the world offers new opportunities for people to

cement their leadership on their firms. Having been in the hot seat for only a matter of weeks, the new chairman of the American end of Deloitte & Touche has made his mark. Noting that KPMG Canada is in the process of dropping off into the Arthur Andersen fold, he has let it be known that heads will roll if the next chunk of KPMG to be lifted does not end up at Deloitte & Touche.

ROBERT BRUCE

Go online with that job application

used to be difficult to apply for a new job while still doing your old one. Flicking through job advertisements, printing out CVs and posting them to rival organisations was not something you could realistically do under your boss's nose.

The Internet has changed all that. Employees can now simply access a rival company's recruitment page on the Internet and apply for a job within minutes — while still giving the impression of being hard at work. This may sound like bad news for employers, but they can easily use the same technology to their advantage.

So far, companies that have led the way in Internet recruitment have typically been in the US technology industry: hardly surprising, given the way such companies have to fight over a limited supply

of highly skilled professionals.

One of those companies is Cisco Systems, the US telecoms equipment company, which claims to take 55 per cent of all its job applications over the Internet. This obviously reduces the cost of acquiring staff — headhunters and recruitment agencies become less important, for example — but also has many other, less obvious, benefits.

John Chambers, Cisco's chief executive, says he can use software to monitor exactly where job applications are coming from. If Cisco receives a flood of simultaneous online applications from a competitor, it usually means something im-

portant is about to happen, Mr Chambers says.

"I know what's going on at our competitors — who's reorganising and who's concerned about their quarterly performance — just by the inquiries I get into my jobs database," he says. "People are just beginning to realise the power that this brings you."

In the US, it is also becoming common for companies to hold preliminary job interviews online. Some companies already use software that can ask questions of job applicants based on their previous answers. This eliminates the need for CVs and also the need for rou-



time interviews, which take up valuable management time. Companies in California's Silicon Valley are already convinced that, as computer networks speed up,

many job applications will be conducted entirely online. After completing preliminary interviews via a website, applicants could simply be interviewed via a video conference.

Obviously, this rather impersonal form of interviewing is never completely going to replace face-to-face meetings, particularly for more senior jobs. However, in industries where there is high staff turnover, and where employees can work anywhere, Internet recruitment is certain to become popular.

Meanwhile, employers who have no job application forms on the Internet should beware: they will be missing a great opportunity to low-

er their recruitment costs, and to attract the kind of young, intelligent people who already see the Internet more as a medium for business than pleasure.

Employers should also bear in mind that companies such as Cisco are only too happy to monitor the job satisfaction of employees at rival companies. To not return the favour seems almost suicidal.

□ MEL GIBSON'S film distribution company, Icon, this week said it had appointed two senior executives, Elizabeth Draper, who will become head of distribution, and David Woodward, who will be-

come head of sales. Ms Draper, who previously worked at Pathé, the French film group, will manage theatrical, video and television sales and marketing. Mr Woodward, who previously worked at Twentieth Century Fox, will be responsible for setting up a sales team at Icon.

□ THE prospect of a worldwide mobile phone standard being introduced over the next few years moved closer this week when the Chinese Government hinted that it would back the technological standards developed in the West. The move comes after a deal last week between Qualcomm, of the US, and Ericsson, of Sweden, whereby the two mobile phone handset manufacturers cross-licensed their technology.

CHRIS AYRES

Costain back in black after four-year losses of £400m

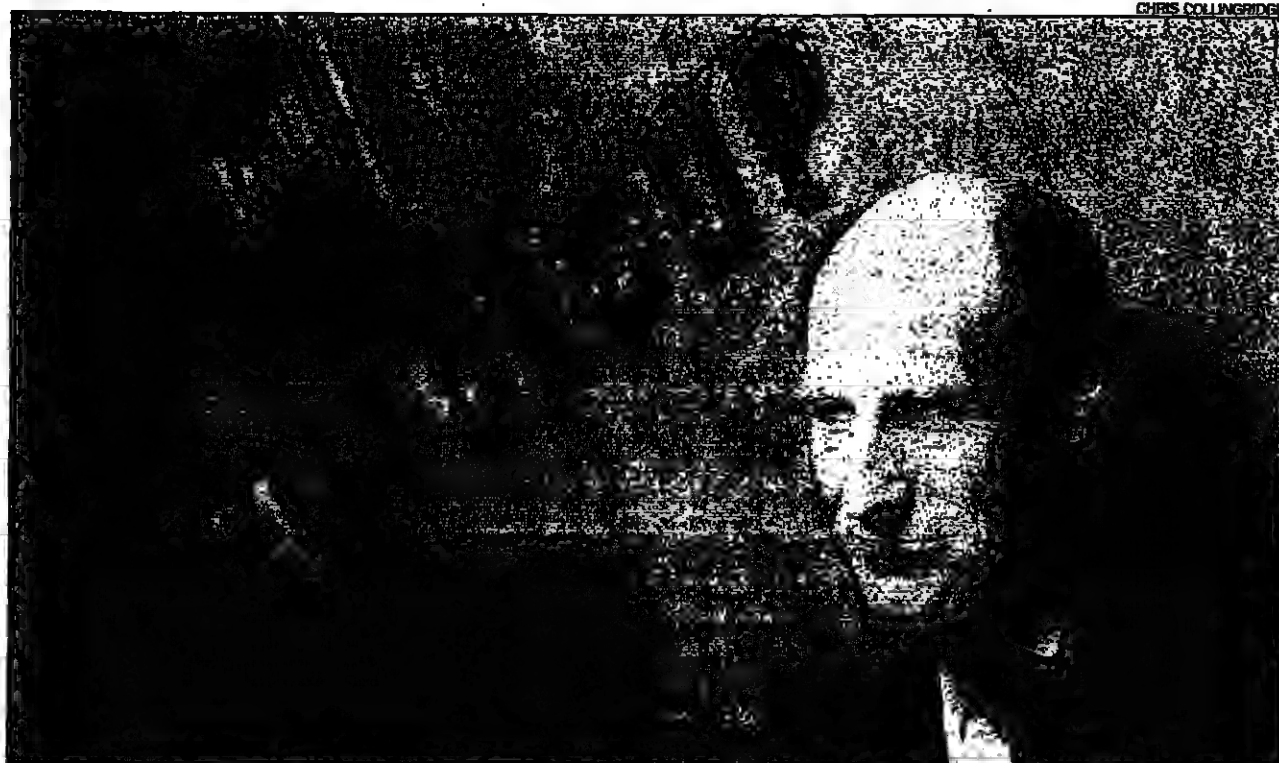
COSTAIN, the refocused engineering and construction group, yesterday returned to the black after four years of heavy losses.

The company reported pre-tax profits of £500,000 for 1998 compared with a loss of £7.4 million the previous year. Over the previous four years Costain's losses amounted to more than £400 million.

John Armit, the chief executive, said the group has become more selective about which projects it tenders for in its drive for increased profitability. With the focus on increasing margins there was a substantial fall in sales to £392 million (from £576 million in 1997).

"We're simply not interested in turnover without profit. Our priority is to build a business that can respond quickly and efficiently with minimal risks," Mr Armit said.

The company is also reorganising to create three divisions from its existing six, including the merger of its civil engineering and construction operations into one UK business. The other two divisions will cover its international operations and its oil, gas and processing businesses. Costain said the UK building market remained strong during 1998, despite the economic slowdown. However, the UK's civil engineering business was "less buoyant" because of a reduction in



John Armit, chief executive, said Costain is more selective about the projects it tenders for in the drive for profitability

Britain's roadbuilding programme. Last year Costain finished work on the controversial Newbury bypass project.

Mr Armit said that the company felt optimistic about the opportunities being presented in the rail sector, with new Railtrack schemes and London Underground awards to

be announced in the near future.

Costain is currently working on the London Bridge section of the Jubilee Line extension, refurbishment at Waterloo station and stabilisation work at Embankment station.

The group has also recently completed work on the Hong Kong airport but said it is look-

ing to keep its exposure to the South-East Asian market to a minimum until it sees clear signs of recovery. Contracts are also under way at Heathrow, Gatwick, Liverpool and Manchester airports.

In recent months Costain has won five joint-venture contracts worth £100 million, with Skanska, the Swedish group

which has a 7.6 per cent stake in the company. Costain says it has five more "significant" joint-venture contracts to be announced this year.

Year-end net debt rose £24 million to £61 million. Mr Armit said no dividend was foreseeable in the near future. Costain shares closed up 1p at 18½p.

SBS and CME join up in £382m takeover

By RAYMOND SNODDY
MEDIA EDITOR

SBS BROADCASTING has agreed to take control of CME in a £615 million (£382 million) all-share deal that will create a new force in free-to-air television in Europe.

Together, the two companies have 18 television stations and 12 radio stations in 13 countries serving a total potential audience of more than 150 million.

Both companies, in their own ways, detected the opportunity to launch advertising-financed broadcasting stations in deregulating European markets using mainly American money.

Harry Sloan, chairman and chief executive of SBS, who will be co-chairman and chief executive of the expanded company, yesterday said: "We have a proven formula for building successful broadcasting operations in new commercialised markets."

The new co-chairman of the enlarged group, which will still be called SBS, is Ronald Lauder, the moving force behind CME. Mr Lauder yesterday said that, as a result of the deal, he would become a major shareholder in SBS. He said: "I intend to further increase my investment in the combined company by purchasing a very substantial number of SBS shares in the open market from time to time at prevailing market prices."

SBS, which has television stations in The Netherlands, Belgium, Scandinavia, Hungary and Slovenia, had revenues of \$350 million last year. Its net loss was \$33.7 million, reduced from \$43.8 million in 1997.

CME's television networks are in the Czech Republic, Slovakia, Slovenia, Romania and the Ukraine. CME last year had net revenues of \$243.7 million and a net loss from continuing operations of \$81.1 million — with a total net loss of \$125 million, including losses from discontinued operations.

Last year, on a pro forma basis, the two companies, whose shares trade on America's Nasdaq exchange, produced \$594 million in combined revenues.

Xenova sells core chemical library

XENOVA, one of the pioneers of UK biotechnology, has sold the core of its original business, including its NatChem library of 80,000 compounds extracted from fungi, bacteria and plants. Xenova will receive £1 million this year and perhaps another £4 million in stock and other payments. More importantly, the move will stop the cash drain from Xenova Discovery, which lost £5.6 million last year. David Oxlade, who replaced founder Louis Nisbet as the Slough firm's chief executive last year, said Xenova would continue to have access to the NatChem library to identify new drug candidates. He said: "I am delighted. This is a key component of the strategy outlined last year."

TerraGen Diversity, a small Canadian biotech firm, will take over Xenova Discovery's facilities in Slough and its 30 staff. It will also take on its collaborations with Warner-Lambert and Bristol-Myers Squibb, the US pharmaceutical groups. Mr Oxlade plans to sell or find a partner for MetaXen, its loss-making Californian arm. Hopes for Xenova's cancer drugs have helped its shares rise from 37½p to 86½p since the start of the year.

Wine Lodges decision

YATES Brothers Wine Lodges yesterday became the latest pub retailer to confirm that its outlets will remain open for the millennium celebrations on New Year's Eve. Staff at the group's 114 outlets, some 89 of which operate under its core Yates's Wine Lodge brand, will be paid double and receive a £100 bonus. Yates took its decision after a survey found that only 6 per cent of people have made firm plans on where they will be in the new year. Its move is in contrast to JD Wetherspoon which has decided to close its pubs at 8pm on New Year's Eve.

US website star debut

PRICELINE.COM, an Internet site where customers bid for airline tickets and hotel rooms, became the latest US high-tech success when its newly listed shares soared more than 500 per cent. The company, promoted by the actor William Shatner, of *Star Trek* fame, went where no initial public offering has gone before when it shot up from a \$16 opening to \$86 a share. Despite never having made a profit, the fledgling Connecticut-based company was valued at \$11.5 billion within minutes of listing of the Nasdaq stock exchange in New York.

Johnston up by 43%

JOHNSTON GROUP bucked the trend in Britain's engineering sector to lift pre-tax profits 43.7 per cent to £6.4 million in 1998 despite competitive trading conditions and the adverse impact of the strong pound. Profits rose to £6.4 million from £4.5 million on turnover that fell to £123.8 million from £150.8 million after the sale of Johnston Construction. Earnings were 33.53p a share, a rise of 52.2 per cent. A final dividend of 8p a share makes a total of 41p, an increase of 6.3 per cent. The shares rose 7½p to 322½p yesterday.

British Fittings in red

BRITISH FITTINGS GROUP, the engineering company based in Birmingham, is holding the total dividend at 5.1p a share for 1998 after maintaining pre-tax profits at £4.6 million, despite a difficult trading environment. Turnover from continuing businesses rose 4.5 per cent to £78 million. During the year the company sold its high pressure water jetting business, which gave rise to a goodwill charge of £5.65 million and resulted in an overall pre-tax loss of £8 million.

Bentalls suffers

BENTALLS, the department stores group, suffered a fall in underlying pre-tax profits to £2.65 million last year from £3.4 million, caused by the difficult trading environment and disruption arising from the refurbishment of stores at Kingston, Surrey and Lakeside, Essex. Adjusted earnings fell to 6.06p a share from 11.42p. The total dividend is 3.95p (3.85p) a share, with a final 3.25p. Trading had made a good start to the current year, with like-for-like sales up 5.9 per cent.

QS restores payout

QS HOLDINGS, the discount clothing retailer with 123 stores in the south of England and the Midlands, is restoring the dividend at 0.5p a share for 1998 after reporting a recovery in pre-tax profits to £1.09 million from £280,000 in 1997. Earnings were 1.58p a share, compared with a 0.07p loss previously. The company said that it enjoyed a 7.4 per cent rise in like-for-like sales last year, with sales growing 9 per cent so far in the current year. The shares rose 3p to 30p yesterday.

TAB looks for fresh rescue deal

By PAUL DURMAN

HERAPEUTIC Antibodies, the small Anglo-American firm saved by a £11.5 million cash injection last November, is already seeking a fresh rescue after the termination of its development deal with G.D. Searle.

Stuart Wallis, its chairman, who formerly ran Easons, is pursuing a merger deal that would value TAB's shares at close to their current value of 5p. The company is also exploring disposals and all other financing options.

TAB's work with Searle, the pharmaceutical arm of Monsanto, ended in January when two Searle drugs intended to prevent arterial blood clots failed in trials.

The Searle contract, secured only last year, was an important prop of the last refinancing — which, TAB then said, would provide sufficient funds to launch its products and develop a sustainable business.

TAB, based in Nashville in the US but quoted in London, lost \$15.9 million (£9.8 million) in 1998, slightly less than the year before. It ended the year with cash of only \$7.8 million. Mr Wallis insisted that TAB had a promising future.

Royal & SunAlliance Danish bid snubbed

By MARTIN BARROW

ROYAL & SUNALLIANCE, the UK insurance company, has been snubbed in its attempt to launch an audacious £870 million counterbid in Scandinavia.

Codan Group, the Danish soft drinks company AG Barr, said the company is still suffering after last summer's unseasonably cool weather affected sales.

He said that the impact of the cold weather on sales late in 1998 dragged on into the new year. Mr Barr said "the worst British summer for some 40 years" was seen last year.

of entering talks with Codan, preferring instead to go ahead with an agreed merger with Unidanmark, which was announced early last month.

Codan's offer of Dkr10 billion compares with Unidanmark's bid of Dkr8.8 billion, which many analysts in Copenhagen believe undervalues the business. Unidanmark owns Denmark's second largest commercial bank.

In a statement, the board of Tryg-Baltica said: "It is the board's unanimous, unaltered

view that the proposed merger with Unidanmark, on the agreed terms and conditions... will still be the best for the long-term interests of the shareholders, the customers and the employees."

At the end of 1998 Codan's balance sheet stood at Dkr64.6 billion, compared with Tryg-Baltica's Dkr72.5 billion.

Shareholders of Tryg-Baltica and Unidanmark are set to meet on April 13 to vote on their proposed merger.



Mendelsohn, approach

AG Barr suffers bad weather effect

By ROBERT COLE
CITY CORRESPONDENT

ROBIN BARR, chairman of the Scottish soft drinks company AG Barr, said the company is still suffering after last summer's unseasonably cool weather affected sales.

He said that the impact of the cold weather on sales late in 1998 dragged on into the new year. Mr Barr said "the worst British summer for some 40 years" was seen last year.

As a result, profits at Barr, the maker of the Irn Bru fizzy drink, stood still. The company, which famously advertises its Irn Bru as being "made in Scotland, from gardeners" made nearly £12 million of pre-tax profit in the 12 months to the end of January.

Comparison with the previous period is complicated because Barr changed its year end, but in the 15 months to 31 January 1998, it made £14.4 million pre-tax. Annualised profits figures are broadly unchanged.

However, the company said that turnover for the 52 weeks to January 31, 1999 fell 3 per cent compared with the 52 weeks to January 1998. It added that sales in the first seven weeks of the new financial year are 2 per cent below 1998 figures. Mr Barr blamed the fall on declining sales of orange squash for the supermarkets' own brand product. He said the supermarkets found alternative suppliers who were prepared to sell for prices which Barr believed were unacceptably low.

Mr Barr said the company's market share of fizzy drinks in Scotland was about the same as for Coca-Cola. He said the group's priority was to sell more Irn Bru south of the border. He added that sales of Irn Bru continued to grow in its small Russian enterprise, despite the economic turmoil there.

Barr's total dividend for the 12 months to January 1999 is 18.25p. It paid 21p in respect of the previous 15-month period.

We are all individual in our targets.
So shouldn't our notebooks be?

SAMSUNG

Early gains pared

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

ALCOHOLIC BEVERAGES

High	Low	Company	Price	Change	%	PE
122	120	30-Famous Geyser	120	+1	0.8	11.7
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
116	114	30-Famous Geyser	114	-2	-1.7	11.7
114	112	30-Famous Geyser	112	-2	-1.7	11.7

BANKS

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
116	114	30-Famous Geyser	114	-2	-1.7	11.7
114	112	30-Famous Geyser	112	-2	-1.7	11.7
112	110	30-Famous Geyser	110	-2	-1.7	11.7

BREWERIES, PUBS & REST.

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
116	114	30-Famous Geyser	114	-2	-1.7	11.7
114	112	30-Famous Geyser	112	-2	-1.7	11.7
112	110	30-Famous Geyser	110	-2	-1.7	11.7

DIVERSIFIED INDUSTRIALS

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
116	114	30-Famous Geyser	114	-2	-1.7	11.7
114	112	30-Famous Geyser	112	-2	-1.7	11.7
112	110	30-Famous Geyser	110	-2	-1.7	11.7

ELECTRICITY

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
116	114	30-Famous Geyser	114	-2	-1.7	11.7
114	112	30-Famous Geyser	112	-2	-1.7	11.7
112	110	30-Famous Geyser	110	-2	-1.7	11.7

BUILDING MATERIALS

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
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114	112	30-Famous Geyser	112	-2	-1.7	11.7
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CHEMICALS

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
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ENGINEERING

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
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114	112	30-Famous Geyser	112	-2	-1.7	11.7
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CONSTRUCTION

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
116	114	30-Famous Geyser	114	-2	-1.7	11.7
114	112	30-Famous Geyser	112	-2	-1.7	11.7
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DISTRIBUTORS

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
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114	112	30-Famous Geyser	112	-2	-1.7	11.7
112	110	30-Famous Geyser	110	-2	-1.7	11.7

FOOD MANUFACTURERS

High	Low	Company	Price	Change	%	PE
120	118	30-Famous Geyser	118	-2	-1.7	11.7
118	116	30-Famous Geyser	116	-2	-1.7	11.7
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LEISURE & HOTELS

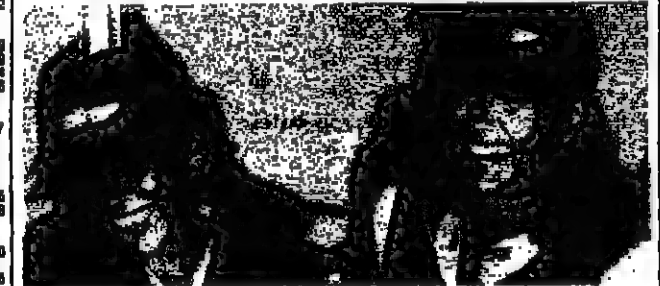
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HEALTHCARE

High	Low	Company	Price	Change	%	PE
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118	116	30-Famous Geyser	116	-2	-1.7	11.7
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HOUSEHOLD GOODS & TEXT

High	Low	Company	Price	Change	%	PE
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118	116	30-Famous Geyser	116	-2	-1.7	11.7
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Early gains pared

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Early gains pared



The rewards of beauty: In five years in the business Liv Tyler has worked with Bernardo Bertolucci, Woody Allen and Robert Altman

A chip off the old rock

FILM: From rock'n'roll baby to pouting screen goddess,

Liv Tyler is really just an ordinary girl, says Donald Hutera

Talking to Liv Tyler is like hanging out with your eager, sometimes endearingly naive kid sister. Sup- pressing a giggle, the 21-year-old American film actress announces: "I'm sorry, I'm really brain-dead." She has been jabbering all day to an assembly line of journalists about her new film *Plunkett and Macleane* (see review, page 38), a Hogarthian *Butch Cassidy* and the *Sundance Kid* for the *Trainspotting* generation.

Clad in black casuals, her luxuriant dark hair cropped close *à la* Liza Minnelli, Tyler folds her lanky 5ft 10in frame into a chair, and chain-smokes her way into a stream of fairly guileless, colloquial words. Basically they boil down to this: she is a charming but ordinary-seeming girl blessed with an extraordinary life.

There are, in Hollywood terms, roughly two kinds of ingénues: good girls (Winona Ryder, Kate Winslet, Gwyneth Paltrow) and bad (early Drew Barrymore and current leader of the pack, Christina Ricci). After only five years in films, Tyler sits high among the former category's swollen ranks.

Until Bruce Beresford cast her in 1994's *Silent Fall*, she was a school-girl model. "It was my first acting ever," Tyler says, "and a very strange and surreal experience. But I enjoyed it." In the finished film she holds her own against Richard Dreyfuss. "If you put this girl in acting school," Beresford reportedly told Tyler's mother, "I'll kill you."

Playing a pizza waitress opposite Shelley Winters and Deborah Harry in the low-budget *Heavy*, Tyler became a pouty-lipped princess of indie cinema. But soon the big league beckoned. In Bernardo Bertolucci's *Stealing Beauty*, Tyler graduated to the status of art-house goddess in a Chekhovian meditation on youth and mortality. It was her delicate, untutored transparency — Bertolucci dubbed her "an identity in search of itself" — that anchored the film. She was about as ravishing as the sun-drenched Tuscan countryside that was the film's setting. Hers was the face at the 1996 Cannes Film Festival.

If Academy Awards are anything to go by, Tyler has kept exceptional

company. After Bertolucci (not to mention Dreyfuss and Winters) came two-time Oscar winner Tom Hanks's directorial debut, *That Thing You Do!* Tyler nabbed the female lead. "It's everything Tom strove for it to be," she gushes. "He was completely hysterical and lovely the whole time."

Tyler herself seems remarkably level-headed, given her rock'n'roll childhood. She cut her teeth backstage at concerts and clubs. Her mother, the former model Bebe Buell, is a groupie made good, whose former boyfriends include

thought, "I don't want to do a movie like *that*." But then I thought, "I want to know what this experience is going to be like."

Tyler is an uncritical cinemagoer. "I almost don't have an opinion sometimes. I just absorb it and move on." Of *Armageddon* she now says "It is what it is". This casual attitude does not chime with her stated goals. "When I did *Heavy*, I went, 'I really love this. It moves me and makes me feel amazing.' But I'd rather make one movie in four years that I was proud of than do all sorts of things. I've only ever done what I want to do."

Tyler admits that she has never been to college. Movie-making is her education. As the feisty but tertiary love interest in *Plunkett and Macleane*, she not only got to wield guns and smoke cigars but learnt to ride a horse and sported an English accent.

"People don't sit you down and teach you something. You breathe the same air for three months, so you're filtering everything you see or hear. And I'm really observant."

Most recently Tyler has been working with Robert Altman. In his small-town Southern comedy *Cookie's Fortune*, she shares the screen with Glenn Close and Patricia Neal. "My character cleans catfish for a living," she says, "so I'm really stinky." Altman was a dream to work for, she says, giving free rein to what Bertolucci called Tyler's "fantastic instincts". As she explains: "I like to know what's expected of me, then go off, think about it, and just come and do it."

Is she, like Sharon Stone, in the business for the long haul? "I hope so," she answers without hesitation. "I just want to keep working with amazing directors."

Sadly, her cameo in Woody Allen's quasi-musical *Everyone Says I Love You* wound up on the cutting-room floor. "He wrote me a letter, which I keep on my desk and look at occasionally, saying that he was really sorry and it was nice to work with me and we would work again. But he's never asked me again. And he wouldn't even hear me sing, and I love to sing. So I guess maybe he doesn't like me so much."

A devilishly sweet smile spreads across Tyler's long face. "I may have to camp out on his doorstep."

'Bruce Beresford told Tyler's mother that if she put her daughter through acting school, he would kill her'

Rod Stewart, Elvis Costello (his *Party Girl* is about her) and Mick Jagger. The Rolling Stones reputedly dropped by the hospital the day baby Liv was born.

One of Buell's longest relationships was with Todd Rundgren. Tyler grew up believing the influential 1970s rocker was her father. It was not until she was about 12 that the truth came out: Liv is the love-child of Buell and hell-raising Aerosmith vocalist Steven Tyler. By all accounts, she took the news in her stride.

Tyler's bond with both dads remains strong. She got her screen break thanks to her biological father when, in 1994, she and Alicia Silverstone famously played teen sirens in Aerosmith's video for *Crazy*. Last year the band supplied the theme song for *Armageddon*, her first Hollywood blockbuster.

In *Armageddon* Tyler plays Bruce Willis's daughter, the repository for the hopes and fears of a planet facing imminent destruction by a giant asteroid. She twice turned down the role, only relenting after extensive rewrites and some self-assessment. "At first I

In a master's modest hands

Despite having revolutionised the jazz approach to his particular instrument — bass guitar — Steve Swallow has spent much of his career making the music of other leaders sound good. So it was gratifying to find his band playing to a packed house on the first night of their week-long engagement at Ronnie Scott's. With him were four musicians — tenor player Chris Potter, trumpeter Barry Ries, guitarist Mick Goodrick and drummer Adam Nussbaum — whose presence similarly constitutes a solid guarantee of quality, so anticipation was justifiably high.

Swallow's occasional recording as leader are generally neat, understated affairs show-

ing his unrivalled knowledge of the way jazz is put together (one of his recent albums, *The Real Book*, focused on the jazz musician's eponymous *vade mecum*; another, *Deconstructed*, on the widespread practice of writing original tunes on the harmonic schemes of pop songs), so the unfussy tightness of the band sound on its opening number, dedicated to Miles Davis, came as no surprise. What was unexpected, though, was the sheer power they generat-

ed. Nussbaum's taut, crackling drumming was the most obvious source of this energy, but closer examination of the band's sound revealed its true origin in the subtle but vigorous cohesiveness of Swallow and Goodrick.

Thus, underneath the bustling eloquence of Potter and the fractured elegance of Ries, Swallow and Goodrick did what every great rhythm section does: quietly made the soloists, rather than themselves, look good. Swallow's lithe propulsiveness provided the heart of the sound, but it was Goodrick's deft, warm, accompanying chords that breathed life into it, freeing Nussbaum to play a brisk, assertive role more usually associated with frontline instruments. In *Play-*

ing in *Traffic*, for instance, his tumbling drums were at least as prominent in defining the theme as the appropriately car-horn-like interplay of Potter and Ries; in the set-closing *Self-Exciting Circuit*, a rolling rhythm was effortlessly established by Swallow, liberating Nussbaum to embellish rather than maintain it.

With the equally expressive but contrasting soloing styles of Potter and Ries similarly freed by the artistry of Swallow and Goodrick, this was as near a perfect display of small-group jazz — robust yet exquisitely poised, cogent but surprisingly delicate — as has been heard in London in recent years.

CHRIS PARKER

Blowing up a storm

OPERA
Peter Grimes
Adrian Wells

PETER STEIN's staging of *Peter Grimes* for Welsh National Opera had a mixed critical reception when it opened in Cardiff, but the *Grimes* that begins the WNO's week at the Wells is a high-tension affair, every way worthy of a company whose fortunes are riding high at present.

living is ever rough, Donald Maxwell's Bulstrode is properly pensive, also an outsider in a place where mob law rules. He catches the ambiguity of the man, who may be the voice of reason but ultimately tells Grimes that there is no place for him in this community.

There is another top-class performance from Janice Watson's sweetly sung Ellen Orford, her face carrying the pallor of the schoolroom among the rogues and blusters. All of these are sharply characterised by Stein, led by Peter Bronder's roly-poly Methodist dissenter, Bob Boles, and Peter Savidge's lithe and slimy apothecary. Some of the supporting female roles could have been more strongly cast vocally, but shortcomings here are more than made up for by the verve of the WNO chorus, dressed mainly in dun colours by Moidele Bickel except on Sundays when the sun comes out and the church bells ring.

Stefan Mayer's sets are a strange mixture of the realistic and expressionistic, boats drawn up on the Borough beach alongside ugly German walkways. This is not a pleasant place to live, with a huge black cloud hovering

Death in living colour

La Bohème
Glasgow

SCOTTISH OPERA's peep-show *Bohème* is back. And, 11 years on, Elijah Moshinsky's production at the Theatre Royal shows it really can stand the test of timelessness pretty well, as the curtains close in from three sides at the end of each act to form the parade of period tableaux which is the particular seduction of this staging.

Tom Smith is in charge of this revival and, apart from a rather cringingly obvious meeting of hands in the dark — first over the lost keys, and then as Mimì eavesdrops in the snow — everything is vividly on cue. This is the production of umbrellas and Tricolours, of the vaudeville of waiters in the Café Marmus, and of the Hollywood-Dickens-

san is in the pit for the opening performances of the run. From the first fiery upbeat which kindles the Bohemians' banter through to the last orchestral death pangs, he is not only thrillingly supportive to his singers, but he makes the orchestra itself a powerfully dramatic co-principal.

In fact the opening act turns out to be a hard one to follow. The Bohemians are sharply characterised, with Panajotis Iconomou as a saturnine Colline, Roderick Williams a mercurial Schaunard and, above all, with Christopher Purves as a towering Marcello. His is a truly resonant presence, and he has no difficulty in making himself heard above the bustle of the Café Marmus and Musetta's shrill tantrum.

CHER JUDI DENCH JOAN PLOWRIGHT MAGGIE SMITH LILY TOMLIN

FRANCO ZEFFIRELLI FILM

Tea with Mussolini

A STORY OF CIVILISE

AMERICA FILM UNIVERSAL PICTURES PRESENTS CHER JUDI DENCH JOAN PLOWRIGHT MAGGIE SMITH LILY TOMLIN CHARLIE LUCAS DAVID WALLACE "TEA WITH MUSSOLINI" MASSIMO TOSINI PAOLO SECCO MICHAEL WILLIAMS JERRY BRONER ANNA ANNI ALBERTO SPALZI CARLO CENTO ANTONIO GINA FIDELLA MARION ALESSIO VILLO STEFANO ARNALDI PIPPO PISTONTO MARCO CAMERIZ TONY ANTONI DAVID WATSON JOHN MANTON FRANCESCA ZEFFIRELLI

LISTINGS

A new Salome for ENO

ARTS

Jerry-built castles in the air

THEATRE

Film noir staged in Glasgow

RECOMMENDED TODAY

Guide to arts and entertainment compiled by Marit Hargre

LONDON

SALOME: Vivian Tierney makes her debut in David Lumsden's intense production for English National Opera of Richard Strauss's Salome. Matthew Best, John Graham-Hall and Elizabeth Vaughan sing the roles of Jokanaan, Herod and Herodias. David Altherton conducts. Coliseum (0171-632 8300). Opens tonight, 8pm. £5.

MAHLER THE SPECTACLE: The Royal Philharmonic Orchestra continues its Mahler series with a programme featuring the emotionally loaded Fifth Symphony, and the song cycle Kindertotenlieder performed by the Swedish baritone Håkan Haggblad. Carnegie Cello conducts. Albert Hall (0171-589 8212). Tonight, 7.30pm. £5.

THE SILVERLAKE: The multi-talented Ruby Burrell delivers another of her many talents. Here she provides Bloomington Opera with a new translation of Kurt Weill's mordant social satire Der Silbersee, based on the play by the Expressionist writer Georg Kaiser. Gordon Anderson directs the company. Charles Hockwood conducts. Wilton's Music Hall (0171-420 0000). Opens tonight, 7.30pm.

ELSEWHERE

GLASGOW: In Geometry of Miracles, Robert Lepage's latest spectacle, Frank Lloyd Wright discovers the spiritual teachings of George Gurdjieff. Comes to the National Theatre April 14-24.



Barbara Bonney sings

Lieder in Manchester

Traverse (0161-227 5511). Tonight, 7.30pm. £5.

MANCHESTER: The recently formed vocal partnership between the silver-haired singer Barbara Bonney and

and acclaimed pianist Melvyn Tan is put to the test in this concert of Lieder by Brahms, Gershwin and Britten. Bridgewater Hall (0161-907 8000). Tonight, 7.30pm. £5.

NEWCASTLE-UNDER-LYME: David Fielder, Deborah Norton and Christopher Ravenscroft star in Broken Glass, Arthur Miller's powerful drama, set in New York after Hitler's Kristallnacht. Gwendolyn Hughes directs. New Victoria (01793 717882). Opens tonight, 7.30pm.

NEW WEST END SHOWS

Jerry Kingston's choice of theatre showing in London

House full, returns only. Some seats available. Seats at all prices.

□ THE GIN GAME: Dorothy Tutin and

and Josie Ackland play old folk in a

rehearsal home where card-playing

styles echo their past lives. Fifth

Borough Theatre a surprising Pulitzer

Prizewinner. Savoy (0171-636 8889). £5.

□ THE PRISONER OF SECOND AVENUE: Richard Dreyfuss and

Marsha Mason make their British

stage debuts in Neil Simon's play

about city city. Theatres Royal, Haymarket (0171-930 8800). £5.

□ GOOD: C.P. Taylor's best play,

tracing a liberal professor's gradual

descent into working with the Nazis.

Charles Dance heads a strong cast.

Michael Grandage directs. Donmar (0171-306 1733). £5.

□ CARD BOYS: Even the pests who

stick their cards in your pockets have

dreams of bettering themselves. Mike

Packer's splendid play tells us.

Best (0171-743 5288).

□ 400 JOKES WITH THE DEVIL: This

is the Theatre Aik's touring account

FILMS ON GENERAL RELEASE

James Christopher's choice of the latest movies

NEW RELEASES

GOODS AND MONSTERS (15): Ian

McKellen excels as a legendary

horror movie director who glooms his

garden (Director Fraser) for a role

far darker than that of over-muscled

escort. Bill Condon directs this flawed

but absorbing tale.

AMERICAN HISTORY X (18): Edward

Norton is shockingly compelling as a

white supremacist ideologue in Tony

Kaye's tense, controversial but

doomed attempt to get under the

skin of an American tragedy.

PAYBACK (18): Mel Gibson bleeds

his way through Brian Koppelman's

chunky, badass thriller. The film

autumnizes in its 1970s anachronisms

and smooching violence. With

James Coburn, and Kris Kristofferson.

THE RUGRATS MOVIE (U): Pannick,

big cartoon adventure from Nickel-

odeon in which talking toddlers bond

in a spooky forest. Wily enough for

adults; an unavoidable necessity for

three to eight-year-olds.

MIGHTY JOE YOUNG (PG): A

gigantic, emotional gorilla goes mad

in L.A. Ron Underwood's film is a

triumph of special effects over dumb

stereotypes such as the shapely

Charlize Theron.

LA PROMESSE (R): Enthralling

Belgian gem about illegal immigrants

by Luc and Jean-Pierre Dardenne.

Pin-sharp performances from Jérémie

Pierre and Olivier Gourmet as his

"Papa" and "Maman".

AN AUTUMN TALE (U): Eric

Forster's slight, tedious film about a

middle-aged wine grower (Beazley

Roman) awfully tedious as he thumbs

his nose at no real incentive to desert

you.

CURRENT

ARLINGTON ROAD (15): Nerve-

shredding thriller with a magnificent

performance by Jeff Bridges as a

psychotic professor who thinks his

neighbour, Tim Robbins, is hatching a

terrorist conspiracy.

WAKING NED (PG): It's Lenny

Colville's first film about a

slutty Irish table about a corpse in

charge of a winning lottery ticket.

Very lowbrow and David Kelly. Kirk

Jones directs.

SEUL CONTRE TOUS (8 STAND

ALONE) (18): Brutal,

stomach-churning voyage through a

French butcher's life. Philippe Nahon

puts in a monumental performance in

Gaspard Noé's grisly, nihilistic

experiment.

To read *The Prisoner of Second Avenue* is to wonder if it might be the comedy that answers the doubts regularly expressed about Neil Simon on this side of the Atlantic. The play does not seem so soft-centred and dependent on smart one-liners as most of his work. It even brings bite to its subject, which is the stress of Manhattan living. Who, then, are we to blame for this revival's failure to do much more than nibble entertainingly — time, Simon, the director, or the

THEATRE

THE PRISONER OF SECOND AVENUE
Haymarket

stars, who are Richard Dreyfuss and Marsha Mason?

Most of them, I fear, plus

Alan Ayckbourn, who has so

often shown how harsh, dark

and serious comedy can be

while still remaining comedy.

Time is the least guilty

defendant. For New York was a

more menacing place in 1971,

when the play was first per-

formed, than it is in 1994,

when Mayor Zero Tolerance is

successfully bringing down

the crime rate. In scene one

Dreyfuss's Mel Edison rages

both at an East Side apart-

ment that feels like "an eggbox

that leaks" and at a city where

you cannot venture on to the

balcony without being as-

sailed by heat, noise and stink.

By scene two he and Marsha

Mason's Edna Edison have

been burgled and he has lost

his job, and by scene three he

is a certifiable New York pa-

roid, a sick maggot in the ro-

ten Big Apple.

In Simon's original a radio

reinforces the picture with re-

presentative slices of news: the

hospitals and judges are on

strike, a terrorist is poisoning

the water, Governor Rockefeller

has been mugged, Presi-

dent Nixon wants the Nation-

Richard Dreyfuss and Marsha Mason are only two of the things wrong with David Taylor's production of Neil Simon's *The Prisoner of Second Avenue*

al Guard to man the law

courts. In David Taylor's pro-

duction most of these have

been cut or replaced with re-

ports that are merely silly: a

boy climbs up a giraffe to find

cats on top, and so on. The ef-

fect is to disguise the play's pe-

riod. Worse, the jokiness

makes you suspect that Si-

mon's indignation is disingenuous — just another example

of the pride and glee New

Yorkers take in surviving in

their "unlivable city".

Dreyfuss could help here,

and sometimes he does so. His

pale, crumpled face touches

you when he admits he has

been ignominiously fired. But

his best efforts are always sim-

ply comic, as when his jaw

does not merely drop in aghast

disbelief at the awfulness of

New York, but yanks back to

leave his mouth gaping like a

cave in a cliff. You do not feel

he is sinking into lunacy, as (to

do Simon justice) the stage di-

rections demand. Perhaps it is

unfair to expect Dreyfuss's

eyes to be "sunk into his

sockets" — but where's the

"grininess", the "deep depres-

sion", the obsessed prisoner's

walk, the "intensity" of macho

mannerisms?

But maybe Simon is asking

too much here, for his plot

does not develop in an altogeth-

er crisp, clear, unsentimental

way, nor is his human observa-

tion especially original or

trenchant. Edison's flummoxed

siblings add little, and his

elder brother, who has never

recovered from childhood

envy, actually pushes the play

down a distracting sidetrack.

Moreover, the gently emot-

ing Mason cannot disguise the

fact that Edna is a dull wife-

martyr whose self-denial now-

adays seems almost masochist

and whose exhausted despera-

tion, when it emerges, sounds

hollow. Myself, I can recom-

mend the evening for one rea-

son only: whatever Simon's

more earnest intentions, you

will laugh. Every so often.

BENEDICT

NIGHTINGALE

Wan for the boys

Billed as "A Story of For-

bidden Love", E.M.

Forster's book was the

first study of homosexuality by

a major English writer. It was

written in 1914, nearly 20 years

after the fall of Oscar Wilde

for practising what one of For-

ster's young men calls "the un-

speakable vice of the

Greeks". Forster's exposure of

class snobbery is here, in the

contempt expressed by landed

persons for the servants who

tend to their needs. His hatred

for the narrow horizons of sub-

urban families comes in as

well, but we are left to guess

whether he connects either of

these with the suppression of

love, primarily between men,

which drives his book and

now the play.

Andy Graham's direction for

Snap Theatre places the

ten years of Maurice Hall's

emotional growth on

and around an eight-sided orange

carpet with a plinth at the centre

supporting an heroic nude by

some unspeakably vicious

Greek. Nancy Surman's de-

sign is readily adaptable to

scenes of school, the courts of

Cambridge colleges, domestic

interiors and museums.

Alas, what reduces the enjoy-

ment of so much of the produc-

tion is Forster's thin charac-

terisation of most of the crucial

figures. The most rounded

character, although still within

the period stereotype of the bold,

untroubled working man, is

Scudder, the young gamekeeper

(what else) who becomes

Maurice's salvation. Played

with tensed energy by Glyn

Morgan, he is tellingly posi-

tioned by Graham on the per-

iphery of several scenes, a flesh

RADIO

Radio 3 on location

ARTS

CLASSICAL CDS:

A novelty for Easter

APRIL
HEATH
Glasgow

The sound of Greek sunshine

A radio crew goes to Greece in search of authenticity. A jolly, a folly or a sonic breakthrough, asks Daniel Rosenthal

The story begins conventionally enough. Radio 3 commissions a dramatisation of *Fugitive Pieces*, Anne Michaels's devastating, Orange Prize-winning novel, which is partly set on the Greek island of Zakynthos. An independent producer, Roger Elsgood, writes a script and hires a cast. So far, so predictable. Last October, however, instead of popping into a studio, Elsgood and his team packed up their microphones, tape recorders and swimming trunks and drove to Heathrow. Part of *Fugitive Pieces* would be recorded at the location featured in the book. Next stop, Zakynthos.

When you learn that a radio producer is making the kind of trip traditionally reserved for film-makers, the first question is "Why bother?" swiftly followed by "How much licence-payers' money will this cost?" But such concerns were quickly pushed aside by a more pressing revelation: Elsgood and Co were on the wrong island.

The first and most moving section of Michaels's story deals with the extraordinary wartime friendship between Jakob Beer, a Polish Jewish boy, and Athos Roussos, the Greek geologist who rescues him from the Nazis and shelters him on Zakynthos. But the scenes that Elsgood was recording on the island feature Jakob, aged 60, and his young wife Michaela, shortly before their deaths, and Ben, the Canadian friend who comes to Greece in search of Beer's notebook. In the book, this all takes place on the island of Ithaca — so the crew should have been 250 miles to the east.

True enough, Elsgood conceded, but the "acoustical ambience" on this island was grimmer than Ithaca's. "We came here because I want to bring film production processes, ideas and values to radio —

to produce something that's more like cinema than the traditional 'theatre play on the radio'," he said, adding that, yes, the sunshine, warm waters and Greek cuisine made this "a very nice place to work".

On the day I was with them, the work involved recording on a beach, at a café and on the streets of Zakynthos town, picking up background effects that were music to the ears of John Hunt of BBC Radiophonics. Hunt explained: "It's difficult to get a realistic exterior acoustic in a studio. Here, we have unsilenced scooters, and flower-sellers passing by on a horse-drawn cart. It's very vibrant, in contrast to a sterile studio."

Hunt and Elsgood both argued that the location would also inspire the actors, including the one amateur in the cast. In the novel, Ben has an affair on Ithaca with Petra, a free-spirited 22-year-old American. Since Elsgood had only brought one actress to Zakynthos (Dee Hart as Michaela), he planned to enlist his Petra from among the American backpackers who flock to Zakynthos.

His search proved fruitless, so the Yank became a Scot: Petra would be played by Sarah Visous, a primary school teacher from Aberdeen, now married to a Zakynthos farmer. There is no disputing the naturalism of her radio debut: when called upon to gasp as Petra looks out from the terrace of Jakob's house, Visous really was standing on a terrace with a marvellous view of the sea.

Ah, yes, the sea — the most important acoustic feature of all. "There are plenty of sound effects, CDs with waves going 'whoosh'," Elsgood said. "But none of them gives



Getting it taped: Sir Timothy Ackroyd (left), John Hunt (centre) and Roger Elsgood (right) recording Anne Michaels's *Fugitive Pieces* on the Greek island of Zakynthos

you the perfect sense of distance between the shore and the actors that we have here." I was not convinced, until I watched Sir Timothy Ackroyd (the title is inherited) as Jakob, addressing the child that he and Michaela long for but will never have. Stretched out on a bed, with the Ionian Sea lapping gently at the sand below, he seemed entranced — and the speech caught the immense power of Michaels's writing. "I think being here has helped me hugely," he said afterwards. "There are no time constraints, you don't feel under pressure, as you would in a studio — and there are no Tube journeys every morning."

What of the expense? On the island, Elsgood insisted that the trip would cost less than a week in a London studio, and so it proved. The total bill was about £3,300, whereas five, eight-hour days in Soho, with two studio managers, would have set the production back at £7,000; authenticity and a 50 per cent saving.

Having recorded the remainder of the dramatisation — including the scenes set on Zakynthos — at less exotic locations in London, and added post-production effects, Elsgood was finally ready to let Michaels hear the results. "I admire the fact that Roger is pushing the boundaries of radio, and I admire his attempt at authenticity by going to Greece, and the rigour that implies," she said from her home in Toronto. "However, with one exception, that same rigour was not applied to the actors' analysis of the characters as I wrote them."

The exception she makes is Ackroyd, who delivers a haunting portrayal which dominates the 90-minute adaptation — he was right to believe the trip to Zakynthos had paid off. Tune in this Sunday to judge for yourself whether Elsgood's adventure has created a soundscape so evocative that you can hear the sunshine.

● *Fugitive Pieces* is on Radio 3 at 7.30pm on Sunday

THERE is, of course, a novel inside every journalist. Fortunately most of us manage to leave it there. The reason is not entirely laziness or confusion as to how one might spend a Martin Amis-sized advance. No, our fatal distraction is a fascination with real life.

This is an area insufficiently catered for in radio. Much is written, for example, about the state of drama at Radio 4 but not enough is written, because not enough is broadcast, about the dramatic state of real life. For evidence that reality far outdoes the wildest imaginings of fiction you only had to hear *My Dad's Diary* (Radio 4, Monday).

War is all over the airwaves so *My Dad's Diary* had a contemporary resonance. Not that it needed relevance to be riveting radio, for here was a story no writer of fiction could hope to get away with.

The diary in question had been kept by the late Noel Goode while he was a prisoner of war on a Japa-

War in the air

He kept it for 40 years and, when he retired, decided to track down Goode's family. Kiehn recalled in the programme how she sat down and read the 100 A4 pages at one sitting: "It was just like my Dad talking to me [and] at the same time it was like rediscovering my father."

Derek Jacobi read the diary extracts with his usual aplomb and feel for the precision of meaning. But on this occasion neither the words nor Jacobi's faultless delivery could quite match up to the parallel story of their discovery.

There are still those who say that Radio 4 does not surprise and delight any more, but here was a programme that was both a surprise and a delight, a human story, told without bangs and whistles. It left you wondering what scraps of paper might now be abandoned in the Balkans, awaiting some future chance encounter.

PETER BARNARD

Walking out on to the stage, Maria João Pires cuts a slight and unassuming figure. But the moment she raises her hands, small by pianistic standards, you see that she means serious business. Her first notes confirm this: Pires's style is about total engagement and inner strength, and her cultivated sound is refreshingly unpercussive.

For this concert, in the Barbican's Celebrity Recitals series, the Portuguese pianist played three composers about whom she has something special to say.

The Prelude of Debussy's *Pour le piano* asserted itself at once, with the opening flurries turning both fiery and reflective. Pires found all the Mediterranean colour here and in the movements that follow: the Sarabande had repose, and the Toccata was as its title implies — showy, but there was also passion. Some unsettled moments apart, this was a

Burning spirit

CONCERT



Pires: down to business with passion and control

performance that evoked the work's "antique" feel as well as its modernity for 1901 — the year, incidentally and according to the programme's "time-line", that instant coffee was invented. The things you learn by going to concerts.

Pires went straight to the heart of Chopin too, capturing the essential simplicity of the five Nocturnes she played. The still surface of Op 15, No 1 in F major was as brilliantly handled as the more impassioned Op 27, No 1 in C sharp minor, and, most magically of all, the dream-like atmosphere of its

companion piece in D flat major. Just in case anyone was looking for something more substantial, she gave a towering performance of the Fantasy in F minor, before bringing

a mixture of dazzling wit and heartache to the famous Fantasy-Improvisation.

In between came the highlight of the recital: a fresh account of Mozart's well-known and supposedly straightforward Sonata in A, K331. The opening theme was invested with rare purity, something Pires carried over into the elegant and poised early variations. She conjured up the different character of each of the variations, never sacrificing their essential grace but always bringing to them a sense of fun.

Most revealing of all was her rendition of the *Rondo alla Turca* finale, sedate and almost restrained where some pianists rattle away flashily. All the Turkish pomp and circumstance, reminiscent of music in Mozart's opera *Die Entführung aus dem Serail*, was brought to life more vividly than ever.

JOHN ALLISON

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Chandos 3014 (three CDs)
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THE bass Alastair Miles is having a devilish spring. Hard on his assumption of the title role of Boito's *Mephistopheles* with the ENO comes Satan in Gounod's *Faust*. But with a difference. Nothing could be further from the Coliseum's flippant staging than the approach of David Parry and the Philharmonia to Gounod. They take a very serious view of Faust, luxuriating in the sentimental moments and pulling out all the stops in the Meyerbeerian ones.

Miles himself sounds far more at home in Gounod than in Boito, not least in clarity of diction which was certainly not the case in the theatre. His Satan is suave and persuasive, just the man to lead others astray. Both the big arias are shaped with finesse.

Chandos has also turned to the ENO for the Marguerite.

Mary Plazas begins by sounding almost too fragile for the innocent girl first seen sitting at her spinning wheel. But in a highly intelligent interpretation she reveals more and more vocal strength, leading the final trio like a Verdi heroine. Paul Charles Clarke is adequate in the title role, but lacks the easy, lyrical flow Faust should have.

JOHN HIGGINS

ORCHESTRAL

■ RAUTAVAARA
On the Last Frontier: Flute Concerto; Anadyomene
Gallois/Helsinki PO/
Segerstam
Ondine ODE 913-2 ***
£14.99

THE inspiration for a number of the Finnish Romantic mystic Einojuhani Rautavaara's works can be traced back many decades. In the case of *On the Last Frontier*, first heard at the composer's 70th birthday celebrations last October, he recalled an adventure story read in his boyhood: Poe's *The Narrative of Arthur Gordon Pym*. That tale developed in his subconscious into a meditation on the final frontier separating this life from

not unlike Vaughan Williams's *Sinfonia Antartica*, but Rautavaara's own personal blend of piquant semitonal dissonances and wonderfully resourceful scoring, evoking the rushing of cataracts and the screaming of birds, is wholly individual. The Finnish Philharmonic Choir and Helsinki Philharmonic Orchestra rise to the occasion under Leif Segerstam.

Two earlier works complete the disc: the Flute Concerto of 1975, with Patrick Gallois the accomplished soloist, and *Anadyomene* (Adoration of Aphrodite), the latter marking the point (1968) at which Rautavaara began to move away from strict serialism towards a more spontaneous, more spiritual form of utterance.

BARRY MILLINGTON

VOCAL

■ CALDARA
La Passione di Gesù Cristo
Signor Nostro
Europa Galante/Biondi
Virgin Veritas 5 45325 2
*** £15.99

A VENETIAN composer at the Viennese court provides this year's Easter novelty: An-

atorio for the lavish rituals of Holy Week at the Habsburg court in 1717. Imagine the scene as scenographers, designers and prop-makers sweat away to create the society spectacle of the year — torch, cross, spear and all.

Caldara's oratorio begins arrestingly with an anguished recitative and aria from the Disciple Peter, after his denial of Christ. Laura Polverelli's spirited contralto asks: "Where am I? Whither do I hasten?" after plangent chords from the thrillingly articulated period instruments of Fabio Biondi's Europa Galante have set the pulse racing.

Mary Magdalene (the raw, girlish soprano Patricia Peñon) adds her own most eloquent musical gnashing of teeth, closely followed by the distraught eyewitness, John (soprano Francesca Pedaci), and Joseph of Arimathea (bass Sergio Foresti), venting his rage on Jerusalem. Between them they share the retrospective narration of and meditation on those dark Good Friday hours and, gently moralising, leave us just as the dawn of the Third Day is breaking.

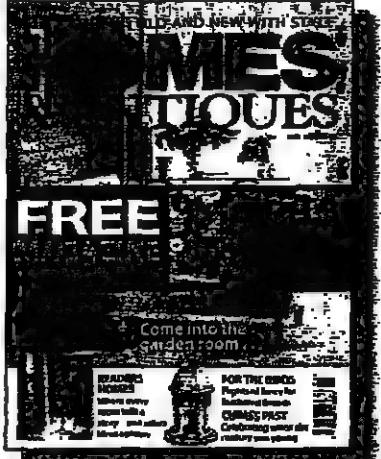
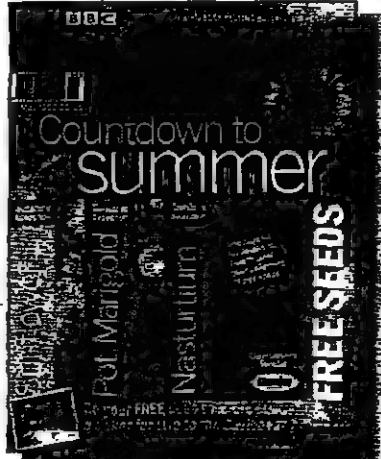
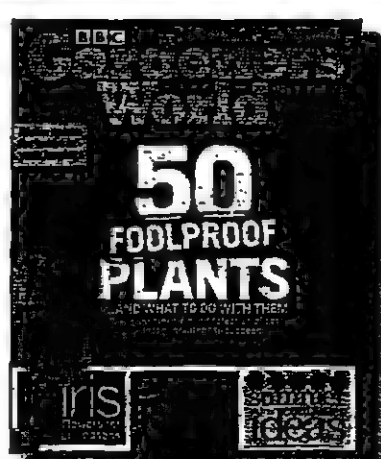
HILARY FINCH

CDs reviewed in The

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BBC Gardeners' World (£2.30) is full of inspirational ideas and articles by your favourite television gardeners. Choose the April issue with a free pack of Dutch iris bulbs and a guide to easy garden design by Gay Search; or the May issue (on sale April 9) with three packets of seeds to create a dazzling border display.

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BOOKS

Singing the rock of ages

Rushdie's return is music to the ears of Russell Celyn Jones

In Salman Rushdie's polyphonic fictions a variety of opposing discourses are set against each other. The narrator is often a half-joking master of ceremonies who declines to make judgments on any one point of view. The voice is playful, teasing, even when the author's intentions are grave. Dogma becomes hypothetical in his "true" novels.

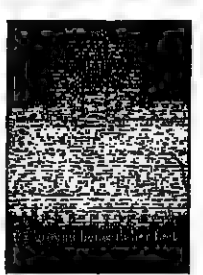
His style can be traced to Grass and Kundera in one direction and through Dostoevsky back to what the critic Mikhail Bakhtin called the "laughing, parodying, travestying" genre of medieval storytellers. The metaphorical heart of this medieval culture was the carnival. Obscene and offensive, the carnival was intended to upset and ridicule the higher powers. Dangerous impulses were given vent for a period in order to achieve an internal psychological balance for the rest of the time. In Rushdie's novels this spirit of the carnival is given a second life. *Cyprusian Feasts*, for instance, a medieval parody on sacred texts, seems a likely source for *The Satanic Verses*, which — tragically for Rushdie — was read all too doctrinally.

His subject in *The Ground Beneath Her Feet* is popular

THE GROUND BENEATH HER FEET

By Salman Rushdie

Jonathan Cape, £18 ISBN 0 224 04419 2



music. Such a global phenomenon allows Rushdie to do what he always does, which is to roam all over the world with the text. It stars Vina Aspara as the greatest popular singer in the world, who triumphs over a harrowing childhood through music and Ormus Cama, a modern reworking of both Orpheus and twice-born Dionysus. Ormus "hears" the songs of Elvis Presley, 1001 nights before Elvis recorded them, through the voice of his twin brother Gayamart, who died in childbirth (Elvis too had a stillborn twin). Like Ike & Tina, Sonny & Cher, John & Yoko, Vina & Ormus form a partnership called VTO. On one level the novel can be read as rock family biography — and in real life, U2 are releasing a single with the same title as Rushdie's novel on the day of publication.



Always a master of fusion, Rushdie writes musical prose — here the author is seen on stage with U2's Bono, and the band will be releasing a single to coincide with the novel

Rushdie writes of identity in terms of possibility. People get trapped by history; but what if history is a fantasy internalised as fact? What if Kennedy had escaped the assassin's bullet in Dallas? What if Nick Carraway — Fitzgerald's narrator of *The Great Gatsby* — and Jay Gatsby could be resurrected to sit on a panel to discuss the merits of rock'n'roll in society? What if an Indian was the "true" author of 50 years of rock culture? Rushdie's instinct is a Utopian one, but for the past rather than the future. Progress comes from imagining what is possible. By asking, "What if?" he sets his characters free. Only through the novel can this be done.

Like all Rushdie's novels, *The Ground Beneath Her Feet* dissolves into multiple stories, improvisations that keep moving away from the ground beat, parodying the concept that an individual can be representative of a whole world. The narrator is a Bombayite born on August 15, 1947, the day of Independence, and a photographer with a "knack for invisibility". His job, like Nick Carraway's, is to mythologise greater men. The one-dimensional sixtieth-of-a-second

nature of photography is counterpointed by a 50-year timescale; with revolutions, earthquakes and assassinations that destroy worlds but provoke grand new beginnings.

The cast of larger-than-life characters from several generations are all, in some way, affected by Ormus and Vina. Ormus's barrister father, Sir Darius, is of the opinion that popular music is responsible for the world's ills and retreats to study comparative mythology. He develops his theory of a "fourth" concept of civilisation, which seems to be a reference to the comic "fourth drama" of the Ancient Greeks. Sir Darius's theory of "outsideness" is one of Rushdie's autographed themes. It evokes the work of Melville, who also appropriated religious prophets, developing their theories of human nature while in quarantine. As in Melville, there is a supervisory humour guiding the design of this novel.

The Ground Beneath Her Feet is a carnival of words, a system of languages mutating East-West. It is also stuffed with references to ancient and popular culture, orientalism, philosophy, including many to cultures that never existed. These fake histories mirror the lives of characters who have built their careers on lies. Reviewers of his novels in India (in the literary magazine *IndiaStar*, for example) have long complained that Rushdie's "exoticised" India-English dialogues glamorise the harsh realities of life in the former British colony; that he appropriates rather than represents Indian culture. That may be true, but as a transnational writer Rushdie is bound to commandeer many cultures. He is one of "language's

maggies", his literature one of hybridity. At the same time he is a very English writer, like Kipling. His is a brilliant ventriloquist, but his brilliance is also his weakness — he is terminally long-winded. But ultimately, *The Ground Beneath Her Feet* is a triumphant hymn to the transforming power of love, boldly asserting that fate is only a fiction and that you can sometimes strengthen history by speculating on its alternative outcome.

Russell Celyn Jones's latest novel, *The Eros Hunter*, is published by Abacus.

Silenced voice of despair, not of hope

A few years ago, after I had explained that my mother was a refugee from Nazi Germany, a child asked me whether I did not think that Anne Frank was the most famous Holocaust survivor. I was stunned by the question. After all, Anne Frank perished in Bergen-Belsen, in 1945, aged 15. But the more I thought about it, the more that boy was right. Anne Frank is the most famous Holocaust survivor. But what survived was a construct, created largely by her father Otto. She, of course, perished, and what more talent she might have displayed we shall never know.

That lack of knowledge makes these three new biographies — *Anne Frank: The Biography*, by Melissa Muller (Bloomsbury, £16.99; ISBN 0 7475 4372 0); *Roses from the Earth*, by Carol Ann Lee (Viking, £16.99; ISBN 0 670 58140 6); *The Story of Anne Frank*, by Mirjam Pressler (Macmillan, £9.99; ISBN 0 333 74412 8) — peculiar reading. What, after all, is there to write about? Anne Frank's story is well-known. She wrote her diary from her 13th birthday until forced to stop when the hiding place in which they had been safe for some two years was raided by the SS on August 4, 1944. Of the eight Jews in hiding, only Anne's father survived. His life's work was to ensure the publication (with judicious editing) of Anne's diary, and the spreading of a universal message of hope from her writing.

So, with little new, Anne Frank's three biographers have done her a disservice by trivialising her work. Instead of Anne Frank, the young talent, we get Anne Frank in daydreams about skating after the war with her cousin Berndt (now Buddy) Elias, in Carol Ann Lee's. Or we get her writing, homesick, to her parents, from Beekbergen, in summer 1941 in Melissa Muller's. We get nothing more about her personality, or her life.

Indeed, the only interesting material from the Melissa Muller biography in particu-

Julia Neuberger wonders why we need three more books on Anne Frank

lar) is about Otto Frank rather than Anne. For Muller wrestles with why it was that Otto Frank (and later his widow and Buddy Elias) omitted from the published versions of the diary anything critical of Anne's mother Edith. Muller suggests that Otto did not want anything critical of his first wife to be published. But the missing pages make surprising reading.

For the rebellious teenager, who did not get on with her mother, is depicted as having sympathy for her. Muller continues: "One cannot help but wonder why the Anne Frank Fonds (Foundation) in Basel, informed of the existence of these pages, refused to permit their publication: its refusal is all the more surprising in the light of its professed commitment to presenting a historically accurate picture of Anne Frank. Nor can one help suspecting that its primary motive is to preserve the image of Otto Frank he wanted to convey to the world (and perhaps also needed to maintain in his own eyes), even if he did so at the expense of his wife and daughter." This is shrewdly observed, as are Muller's other remarks about Otto Frank. She is critical of his treatment of Miep and Jan Gies, who helped them to hide and with whom he lived after the war. For he only left Miep 10,000 guilders, a small sum from a very wealthy man.

Of the three biographies, Muller's is the most compelling, while to write from an obsession with Anne Frank, as Carol Ann Lee does, is to devalue the subject, just as is to argue, as Mirjam Pressler does, that "sometimes she feels as close as if she were my daughter" — for my own daughters were also born Jewish, and in Germany, but in a better time than her". The sentiment is as banal as it is offensive.

All this illustrates the extent to which the Anne Frank industry in particular, and the Holocaust industry in general, have tended towards the banal. The most moving, and searing, of human experiences are devalued because young women going through normal adolescence identify with Anne Frank. Cynthia Ozick's *New Yorker* attack on the Anne Frank industry, mentioned by Lee, may go too far in saying it would have been better if the diary had never been published. But a play that made Anne an all-American girl, a film that made her a universal figure, a diary published without some of its most important content — all these build up to an abuse of her memory, a quite unwarranted universalisation of her experience. She neither lived to put a stop to it, nor to enjoy the proceeds. Instead, her father did not want to particularise his daughter's death into the Jewish experience of the Holocaust. He wanted a message of hope where there was despair, of future where there was only a past, of world peace in a world at war.

Yet Anne Frank's biographers only scrape the surface of Otto Frank's complex views. These biographies should be of him, but he was only famous for being Anne's father. As she would have been 70 this year, three publishers and three biographers try, somewhat cynically, to mark the anniversary. They add yet another sheaf of paper to the mounting pile that represents the Anne Frank industry, with no new knowledge (not even the much vaunted new discovery of the betrayal), little new insight, leaving a sense that it is time to call a halt. Let the talented young writer speak for herself, and then grow silent as other accounts of that hell on earth speak louder to us all.



Father, protector and literary guardian: Otto Frank with Anne (middle right) in 1941

Pooter has a night at the opera

Or, alternatively, "Mr Pooter Takes a Trip to Sussex". The earnest reader — for such its earnest writer deserves — of this handsome book will soon be immersed in the most minute and recondite details pertaining to the Glyndebourne opera festival, with no discrimination between what is important (the extraordinary achievements of this unique enterprise) and what simply does not need to be known (every ticket price charged between 1934 and 1998, this information occupying two appendices in tiny print).

If anyone wishes to know what the Editor of *The Times*, Sir William Haley, said in his telegram congratulating John Christie — the doughty eccentric and magnificent founder of Glyndebourne — on the occasion of his receiving an honorary Oxford doctorate, here it is: "With best wishes for a happy day." The author himself has a fine eye for cliché, seizing on such phraseology as "chalk from cheese" and "an irresistible force and an immovable object".

The gossipy anecdotes with which such a book should be replete are disappointingly

sparse and, when they do occur, insufferably coy. Writing of the producer Günther Rennert and the soprano Gré Brouwenstijn, Jolliffe sniggers: "Rennert's relations with her off-stage were recognised as being as significant to them both as they were in the opera itself." When he does get a good story, he smotheres it. After recounting a remark of Sir Denis Thatcher at one of the superlative performances of *Porgy and Bess* — "Where do all these blacks come from?" — Jolliffe muses: "It was an interesting question."

Most of Jolliffe's adjectives about Glyndebourne are much more laudatory than that. Though he concedes that there may be flaws ("clutter" in a production of *Figaro*, disdain by Jonathan Miller, who, unaccountably, "unfortunately, did not feel at home at Glyndebourne"), the epithet "wonderful" is employed frequently: it is even deployed to describe the staff canteen.

Take another bow, Sir Alec

SIR ALEC GUINNESS will not be playing cameo roles in a bathchair. He considers it "indecent to shuffle on in one's eighties, hoping for the sympathy of a sentimental audience, knowing one's capacity to learn is as full of holes as a denuded colander and one's energy has been used up before the curtain rises or the camera turns", as he writes in *A Positively Final Appearance* (Hamish Hamilton, £16.99; ISBN 0 241 13788 8). The page, however, offers a gentler form of exposure. This is Sir Alec's second appearance in journal form, following the 1996 *My Name Escapes Me*.

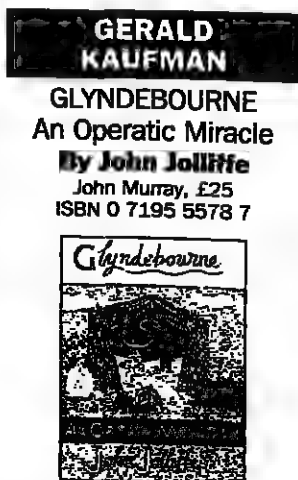
As a shareholder in *Star Wars*, Sir Alec knows the value of sequels, and this new journal, covering the years 1996 to 1998, contains much the same mix as before. His life in Hampshire remains tranquil with Merula, his wife of 60 years. There are trips abroad and to London. Above all, there are regular visits to church, for Sir Alec is a devout Catholic, who quotes with approval Samuel Butler's dictum that "the three most important things a man has are, briefly, his private parts, his money and his religious opinions". He is far too much of a gentleman to discuss the first and rages when a newspaper speculates on the second, but he waxes eloquent on the third.

Mortality is an even more central theme than it was in the earlier volume, with the death of old friends; his own health becomes an increasing preoccupation with cancer, strokes and cataract operations. To the indignity of the consulting room is added the ignorance of the nurses ("They tell me that you used to be quite somebody in the art world"). His depiction of medical procedures shows that, while his vision may be dimming, his perception remains as sharp as ever.

Although he no longer acts, Sir Alec remains every inch the actor. Admiring anecdotes about the actors of his youth — Gielgud, Edith Evans and Claude Rains — are interspersed with criticism of young actors today for their casual diction, sloppy accents and short memories. He records an interview with a young man who believes the key to playing *The Importance of Being Earnest* is to look through the phonebook and befriend "someone called Algy".

A Positively Final Appearance is a wise, witty and good-humoured book. The one disappointment is the title: one can only hope that Sir Alec's well-honed actor's instincts will encourage him to sneak back soon for a further bow.

MICHAEL ARDITTI



Glyndebourne deserves far better than this. The information this book shows John Christie's achievement to have been extraordinary: the creation out of nothing of one of the world's greatest opera festi-

vals, with exceptional productions of a commendably wide range and the commissioning of new operas on a scale that puts Covent Garden to shame. Although Jolliffe gets het up at what he describes as "stale" accusations of elitism, Glyndebourne is undoubtedly elitist, with its atmosphere of social exclusiveness and insistence on evening dress for patrons. On the other hand, it has every right to be elitist if it so wishes, since it does not receive a penny of public subsidy. Moreover, as Jolliffe recounts, it has branched out admirably, with a touring company (which is rightly, if unprofitably, subsidised) and enterprising educational projects.

Such achievements merit a book of higher literary quality than this. All the same, this effusion will no doubt sell well at Glyndebourne's souvenir shop (for which Jolliffe thoughtfully provides the telephone number: 01273 812321, if you care to note it down).

BOOKS

Waving his disposition's hopeful flag

Printer's devil, journalist, battlefield nurse: all this, and Walt Whitman sang the song of America

The fact that a man may be a poseur or a liar has nothing to do with his poetry. Walt Whitman was a master of self-advertisement and self-aggrandisement, yet *Song of Myself* still remains one of the most skilful pieces of private rhetoric ever composed. That it is rhetorical is not in doubt; you only have to look at the extant photograph to realise that he was a born actor and performer. Even in extreme age, he looked like someone who has put on a great beard in order to look old. The eyes, intense and "somehow feminine," give him a distant and somewhat calculating appearance. His voice was reported to be "high-pitched".

The first "barbaric yawp," as he once called his own poetry, sounded in 1819 when he was born in Long Island, New York. After a dismal education in Brooklyn, he began his life as a printer's apprentice; like William Blake, to whom in many respects he can be compared, he learnt his skills in a print-shop where he was a compositor as well

as author. He even started a local newspaper, to which he contributed essays and poems, and for a while he also attempted teaching.

During this period he was, in his latest biographer's words, "frustrated and bored" or, as Whitman himself put it more magniloquently, he was an "obscure youth, a wanderer" with the desire for fame "burning and glowing" within "that youth's heart".

This is all perfectly normal; most such palpitating youths would have remained teachers and settled down to a life of stifled misery. But Whitman travelled to New York, where once more he took up the trade of journalism. Where Wordsworth found his self-image in nature, Whitman found his upon the sidewalks at the dawning of the American age. From the window of his newspaper office "I could see a full sweep, absorbing shows, accompaniments, surroundings"; he travelled on stages, railways, omnibuses and ferries. The latter always delighted him, with their strange



Peter Ackroyd

much an early Victorian American with the same strength, will and industry which marked his English contemporaries.

Yet *Leaves of Grass* was a distinct and idiosyncratic production; he believed many of its effects were borrowed from Italian opera, as well as the Bible, but the main progenitor was the wide vista of America with its ever-widening horizons and its boundless confidence. "The

United States themselves are the greatest poem," Whitman wrote. When this is complemented by the biographer's remark that "oratory was the main art form of 19th-century America" the parameters of his epic celebration are truly set. His was the voice of the plain man in ex-celsis: "I pass death with the dying, and birth with the new washed babe... and am not contained between my hat and boots".

Whitman is not truly contained, either, within the pages of this book. The biography is filled with facts and events, but the detail tends to throw dust upon the bright trail of his life. The voice of Whitman reverberates throughout, but it is too cramped and squeezed.

Despite its author writing several glowing reviews of it anonymously, *Leaves of Grass* was not a success. A few eminent American spirits, like Emerson, saw its purpose, but Whitman's reputation was largely boosted by English admirers. Swinburne, Rossetti and Anna Gilchrist, all of them simultaneously engaged on rescuing the life and poetry of Blake, saw in Whitman almost a New World reincarnation of their literary hero.

Yet in a sense the Civil War really fashioned Whitman. He visited

hospitals and cared for the soldiers coming back injured or ill from the battlefield. He became known as the "wound dresser" and spent hours each day tending to those wounded, giving them presents, hugging them and kissing them. He had a mighty affection for what he called "the common people", especially the male of that species, and his ministrations were an aspect of his devotion to that ideal. Americans believed that he was a comrade; Europeans considered him to be homosexual. Who cares?

His last years were spent, between strokes, in egregious efforts of self-promotion. He planned newspaper stories about himself and lied about his past — on several occasions he declared he had been sitting next to Lincoln when the President was shot. But he need not have trumpeted his own worth — his pose as the poet in workman's clothes has become a defining image of American culture. "I sound my barbaric yawp," he wrote, "over the roofs of the world."

WALT WHITMAN
By Jerome Loving
California University Press, £24.95
ISBN 0 520 21427 7



Stupid is as stupid does

THE HINGE FACTOR
By Erik Durschmied
Hodder & Stoughton, £14.99
ISBN 0 340 72829 9

CHANCE and stupidity, says Durschmied, are the X-factors that are liable to change history. The best laid plans gang aft agley when overlaid with personal incompetence and plain bad luck. From the crusaders bested by Saladin at the Horns of Hattin to the Gulf War coalition that let Saddam Hussein off the hook, this entertaining book considers the errors and incidents that have shaped the world as we know it rather than as we planned it might be.

Book lovers

EX LIBRIS
By Anne Fadiman
Allen Lane, £9.99
ISBN 0 713 99315 4

WHEN she mingled her books with those of her husband, Anne Fadiman felt truly married. Her take on books is dedicated and domestic, noble and commonplace. Books do not just furnish her rooms, they furnish her life, her work and her family. Her own infant children chow down on books. This collection of witty, charming essays by a bibliophile combine high literary seriousness with sprightly urban American humour.

Spied out

THE SPY'S WIFE
By Janet Coogan
Constable, £16.99
ISBN 0 09 479490 1

WHEN your husband tells you that he is a KGB spy, it explains a lot of weird stuff like having him jump out at you from the airing cupboard where he has been developing a microdot. When Dieter Gerhardt, a South African naval officer, tried to recruit his wife to his second job, she bolted to Ireland, became a novelist and now tells her lonely story — "A True Account Of Marriage To A KGB Master-Spy" — though confusingly in the detached third person.

Space race

THE GIANT LEAP
By Adrian Berry
Headline, £18.99
ISBN 0 7472 1977 X

ADRIAN BERRY takes a running jump at portending not only the future of space travel but the society that will achieve it. Governments hate science that changes things, he says, and they don't want everyone bolting for space and avoiding their taxes. It will be big corporations, scenting profits, which will grab for space. Berry recommends the commercial migratory spirit of the early Polynesians as a model for Star Trek.

IAIN FINLAYSON

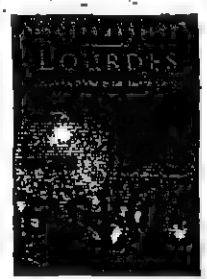
Follow on a journey into faith

What draws pilgrims to Lourdes? What makes them believe St Bernadette can heal them? Cristina Odone admires an unbeliever's scrutiny of the shrine

If you are squeamish, avert your eyes: I am about to share with you a truly revolting vignette. At the height of the sentimental hysteria surrounding the new shrine of Lourdes in the late 19th century, a priest called Père Picard who was visiting the shrine asked for a drink. Not ordinary water — instead, he asked a Lourdes stretcher-bearer to fill his glass from a pool filled with the infected blood and scabs of sick pilgrims. He made the sign of the Cross and drank it. "The water of the good Mother of Heaven is always delicious," he said with a beatific smile.

Well, I did warn you. With one telling anecdote, Ruth Harris sums up much of what the outside world finds disturbing about Lourdes. Of course, such a scene is hard to imagine today, in a Lourdes which has become the respectable Catholic shrine par excellence, visited every year by diocesan bishops who would never dream of visiting the far dodgier Fatima or Medjugorje (to which the Church still refuses to grant official recognition). Even so, the sticky deposit of sugary 19th-century French Catholicism still clings to the place. Despite my own Catholic pedigree (convent school, regular churchgoer, former Editor of *The Catholic Herald*), it was not until last year that I went on a pilgrimage to

LOURDES
By Ruth Harris
Penguin Press, £25
ISBN 0 713 99186 0



the village in the Pyrenees — not because I suspected that Our Lady, the Virgin Mary never did appear to the young shepherdess Bernadette; rather, I worried that the spiritual soup of handicapped believers, one-star hotels and kitschy knick-knacks (my own favourite was a glow-in-the-dark plastic Madonna lighter) might prove indigestible. In the end, despite the crass consumerism of the pilgrimage site, I could not fail to be moved by the tremendous faith of the pilgrims.

Lourdes: Body and Spirit in the Secular Age anatomises with forensic skills the conditions which give rise to the Lourdes phenomenon. Layer after layer is peeled away: the anti-Semitism of the shrine's early political supporters; the

Church's crude manipulation of St Bernadette's testimony; the Pyrenean folk myths of "little women" which bear a suspicious resemblance to the apparition itself. Yet Bernadette and her visions emerge unscathed — and so for the most part do the excitable religious impulses of that first generation of pilgrims.

How does Dr Harris achieve this? Through a combination of open-mindedness and exemplary scholarship. Her first chapter, entitled "Town, Region, Family", paints a shockingly vivid picture of the depressed mid-century Pyrenees, a society in which the combination of near-starvation and vivid folklore seem to have overheated the collective psyche of the entire populace.

A lesser historian would have concluded that the case was effectively closed: the depression obviously caused the apparitions. But Ruth Harris steers clear of such easy reductionism. Not only does she refuse to pronounce on the validity of the apparitions, but she calls into question the neat "division between superstition and science which disfigures the work of so many modern historians of religion. "Lourdes suggests that this conventional interpretation needs rethinking," she writes. "The shrine's massive appeal alone indicates how much religion



The waxed body of St Bernadette who, in 1858, at the age of 14, experienced the vision that made Lourdes famous

remained a crucial part of modernity itself... The number and variety of pilgrims, as well as the ability of proponents of the miraculous to argue effectively with the advocates of scientific rationality, makes the phenomenon of pilgrimage more than an instance of antiquated survival."

Dr Harris is not a Catholic. Her perspective, when she set out to write this book, was Jewish and secular, and it remains so today. In the middle of her research, however, she went on a pilgrimage to Lourdes and changed the dressings of the sick. It was this experience, she says, which persuaded

her that the religious vision of Lourdes, as opposed to its political or its cultural dimensions, should become her central theme. The result is a book which, while dispassionate in tone and critical of the shrine's excesses, captures the authentic magic of Lourdes. It's a miraculous achievement.

IN metro THIS SATURDAY
A walk on the serious side of pop with Salman Rushdie: novelist and rock star

Seth's novel of finely tuned harmonies

A triumphant, epic novel like *A Suitable Boy* poses only one potential difficulty: that, like a too-successful older sibling, it threatens to overshadow the independent merits of its successor. In *An Equal Music*, Vikram Seth, doubtless aware of this risk, has produced a novel half a world and half a century away, and less than half the size of its predecessor. The delicious lightness and wryness of tone prevalent in *A Suitable Boy* are here only intermittently present: this is a graver novel, and one of more complex ambition.

An Equal Music is that most delicate of creatures: a narrative with, at its core, the passion of an art form that lives outside language. Seth's enterprise is to lure into words a musician's experience: in the hearing, in the playing, in the interweaving of music, love and life. This will inevitably result in two tiers of readers: those who, like Seth's charac-

CLAIRE MESSUD

AN EQUAL MUSIC
By Vikram Seth
Phoenix House, £16.99
ISBN 1 861591 17 9



ters and like Seth himself, are intimately, perhaps even obsessively, involved with music; and those whose knowledge is partial. For this, more general, reader, at least, Seth succeeds in the rare and beautiful achievement of articulating musical experience.

The novel's narrator, Michael Holme, in his late thirties, is the second violinist

balance not only within that intense foursome, but in his broader life as well: the novel is the story of his rediscovery, after a lonely decade, of his long-lost love from student days in Vienna, the pianist Julia McNicholl. Now married and a mother, she is also going deaf, an ailment she has kept hidden from the world as she continues to perform.

Michael does not need to fall in love with her again: he has never fallen out of it. The culmination of their relationship is a return to their shared Vienna, where Julia will play Schubert's *Trout Quintet* with the Maggiori. In a resonant synaesthetic passage, Michael expresses that experience thus: "The herringbone floor of the hall turns to tarmac black ebony, white ivory; it is a car park covered with snow, melting into the Serpentine. A slim fish leaps in silver scales from its murky shallows. Each time it emerges it is a variant colour: gold, copper, steel-grey, silver-blue, emerald."

But it is Julia who points out: "Making music and making love — it's a bit more or less the same."



Vikram Seth writes with the delicacy of a string quartet

pain and to loss, as well, and to breakdown. After Vienna, there will be Venice, a journey disjointed and unravelling; and there will be London again, in its urban isolations.

Equal Music: an intricately patterned contrapuntal echoing of themes, images and rhythms. Late in the book, Seth resorts to a near-Joycean elusiveness and allusiveness to convey Michael's state of

of fugal music of its own is the novel's true triumph.

An Equal Music has its flaws: in places the narrative sags and there are a number of characters too close to type (such as Erica Cowan, the air-kissing agent; or Nicholas Spare, the critic who sighs "Oh, the Trout. How sweet. All that tedious charm. I hate the Trout. It's so county"). There is an occasional difficulty in the ungraspability of Michael himself, at times cryptically lyrical ("How can I hate Carl any more? After so many years, surely everything is subject to the agents of change: rain, spores, webs, darkness"); at times cute ("Helen thumps her left breast and gulps down a glass with an alacrity reminiscent of Captain Haddock"). But in spite of these difficulties *An Equal Music* is, in its true marriage of music and words and in its last, extraordinary third, notable and new: it does "what a fugue — especially a quick one — should do: take flight."

Claire Messud's new novel, *The Last Life*, will be

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BOOKS

His life was the greatest of his works

Duncan Fallowell admires a new biography of Bruce Chatwin that explores the writer, his coteries and his pursuit of loneliness and self-sufficiency

How quickly some reputations fade. A mere ten years after his death from Aids, Bruce Chatwin is almost forgotten. My local Waterstone's has only *In Patagonia* on the shelves. Overrated in his lifetime, he is now unjustly dismissed as a fraud and a crank. Nicholas Shakespeare's account should help to correct that. He has been everywhere and spoken to everyone. Nothing is fudged — and about time too, because Chatwin fudged just about everything except the polish on a sentence. The resulting biography is an epic piece of work of immense fascination.

Fortunately for the biographer, Chatwin was a complicated man: neurotic, charming, self-loathing, narcissist, seductive and creepy by turns, a late developer who seems to have resembled an hysterical child prodigy. His most complete emotion was loneliness and he moved constantly in order to maintain it, a perfectionist trying to escape messes which included himself. Perhaps motion was the nearest he could come to the cleansing detachment and self-sufficiency he so admired in objects.

The philosophy he lived and wrote by, however, was that of the cornered criminal: that there is no difference between fact and fiction. Aids was the utter embarrassment of such an attitude and his strategy for

BRUCE CHATWIN
By Nicholas Shakespeare
Harvill, £20
ISBN 1 85045 544 7



dealing with it was denial. His defenders say he kept it secret in order to spare his parents the pain. But this is also the ultimate insult to those who loved him longest. He was a very visual man and to Chatwin appearances took precedence over betrayal.

In awe-inspiring detail and with a rounding-out of all the other characters, Shakespeare takes us successively through the milieux of Chatwin's life: childhood in Birmingham, Marlborough College, Sotheby's, Edinburgh University, Afghanistan, the *Sunday Times* Magazine, India, South America, West Africa, literary London, gay New York, Mid Wales, central Australia, death in the South of France. Much of the content is not about Chatwin at all but

Shakespeare goes for the biggest possible canvas and just about convinces us for example that, yes, we really do need six pages on Chatwin's wife's ancestors.

Moreover, he does what Chatwin never did and drenches all these worlds in their emotional, human implications. Chatwin is a vivid presence throughout. Indeed, he is far more interesting as a phenomenon than as a writer and Shakespeare doesn't get too sidetracked by the books in themselves. The first book is not published until page 309.

The darling of numerous, often mutually exclusive, circles, Chatwin obviously generated great resentment, too. It is remarkable how much repressed anger is let out here by the army of so-called friends, once they have attested his charisma. Chatwin mocked others but couldn't bear to be teased; he talked furiously so that no one else could get a word in; he was much more loved than loved. There is a sense of the groupies, both straight and gay, at last redressing the balance and this gives the biography a lot of bounce. Even the wife finally speaks up, though not as much as one would have hoped. At the end, she alone remains an enigma.

Our trustworthy guide on this magnificent ghastly safari hardly puts a foot wrong, although my confidence in



Bruce Chatwin's travels took him across the world, a search for the "cleansing detachment" he admired in objects

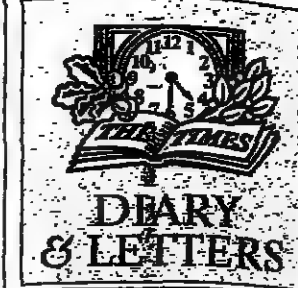
Shakespeare's judgment was somewhat shaken near the end when I found myself referred to as "a gay activist" on account of having described Chatwin's death as ignoble. Shakespeare's narrative bears me out. The death is not mere-

ly sad. Chatwin's refusal to permit his Aids to be acknowledged meant that his dying contaminated those closest to him in a particularly unpleasant way. But my basic point is neither personal nor political but artistic: Chatwin used

writing to hide, and that will only get you so far.

One other matter. Chatwin is cooking *poulet à l'ail* for Stella Wilkinson in Shropshire. She tells Shakespeare: "Instead of putting in one garlic clove, he put in 30." She

couldn't eat it and says that Chatwin "didn't quite admit he'd got it wrong". Shakespeare doesn't question this. In my experience the French use from 20 up to 30 cloves in this recipe. Of course Bruce got it right.



■ POETS have their pride. On Sunday night's Word Festival event in the Barbican Hall in London, The Poet and the Piper, Seamus Heaney and millen piper Liam O'Flynn performed together to marvellous effect. But introducing the session Two Lorries, Heaney began a lengthy explanation of the session form — then stopped himself. "Why am I telling you all this?" he wondered aloud, then looked slightly rueful. "I know why," he said, and he glanced at O'Flynn. "Because at least you can see he's a master at what he does."

■ THE novelist Alice Thomas Ellis is excited about a screenplay she is writing. It is an adaptation of a novel, *The Corsican Sisters*, by Violet Hunt, a flamboyant feminist of the Twenties. Ellis says that the novel seethes with female vengeance. A part here for Nicole Kidman, perhaps?

■ BRIAN M. POAG writes from Kent — with a smile on his face. "In her review of Lillie Langtry's biography (Books, March 25), Jeanette Winterson produced a delightful malapropism. What Oscar Wilde called Lillie Langtry was not 'Venus Anadomene' but 'Venus Anadyomene', the epithet for Venus's Greek counterpart. Aphrodite Anadyomene means 'rising', ie, from the sea, describing her birth."

■ JOHN BAYLEY, whose memoir — called *Iris* — of his wife Iris Murdoch has won the St John Silver Pen Award, has sent a sequel to his publishers, Duckworth. It is called *Iris and her Friends*, and Duckworth says it is as moving as the first book. It will be published in the autumn.

JULIA BLACKBURN

VOLTAIRE'S COCONUTS
By Ian Buruma

Widenfeld & Nicolson, £18.99
ISBN 0 297 64312 6



Tea and revolutionaries

It took me several chapters to warm to this book, but then I warmed to it very much. It gathers steam as it progresses and becomes increasingly profound as well as increasingly funny in a rather black-humoured way. I am not sure if I now have an overall view of Anglontania in Europe, but I am filled with stories of Anglophobes and philes and I have learnt something about the ambivalence of the love, the hate and the passionate longing that perfidious Albion has inspired in so many hearts and minds.

The author himself is from an Anglo-Dutch-German-Jewish family. He was born in The Netherlands but visited England as a child, to stay with his German grandparents who settled here in the 19th century. We meet the grandfather, tending vegetables in the vicarage garden, dressed in tweeds and being quintessentially English in the way that only a true outsider could ever be.

Buruma was haunted by this Arcadian garden of his childhood. The book is both a homage to his own nostalgia

and a demythologising of it. He places his grandparents in the context of other foreigners who felt that England was their one true home, even when England persisted in rejecting them. But he also explains why the idea of English freedom and democracy was so important during a time when most Europeans saw their nations being "occupied, humiliated, impoverished or taken over by thugs".

Up until chapter six and the mid-19th century, I found myself curiously disengaged from the narrative. I drifted through Voltaire and his coconut theory, Shakespeare and Prince Pöckler-Muskau and his search for the perfect English garden. But when the first in a line of European revolutionaries and refugees arrive, things come to life immediately. Here is Karl Marx having a family picnic of ale and cold beef on Hampstead Heath, singing duets with Engels and reciting Shakespeare.

I had never realised that Theodor Herzl, the founder of Zionism, had first dreamt of creating a Jewish homeland under German protection. After an unsatisfactory meeting with the Kaiser, he turned to England, saying in a speech in 1900 that Zionism was a colonial policy in the British imperial style.

Nikolaus Pevsner, refugee and Anglophile, came to Britain in 1935 to escape from Nazi persecution. After the war he covered the length and breadth of the country, assimilating the entire architectural history of a nation with a clarity and passion that no insider could have achieved.

The final member of Buruma's list is Isaiah Berlin. He describes meeting Berlin in a restaurant, where he would procrastinate over the menu before inevitably choosing the same risotto he always chose, while talking about Stephen Spender, Federal Europe, Germany and the Jews and anything else that came to his humanistic mind. To Buruma, he represented the last of the romantics who saw England as the land of the free. His passing marked the end not just of a great man, but of an idea of England.

Buruma returned to this country for the third time in 1990 and was shocked by the xenophobia and the smug complacency which seem to have taken root. He is neither an Anglophobe or phile, but he does appear to be a fair-minded witness of the state we are in and he has the great advantage of not really belonging.

Magic that fits in a pocket

Is your sister an alien? Freddie's is — though as they are fostered, she is more his friend than his sister. In Pete Johnson's *Eyes of the Alien* (Corgi, £3.99; ISBN 0 440 86590 2 £3.99), the spooky incidents clustering around Samantha turn out to mean she is being summoned "home" to another planet — but so, in his way, is Freddie, who discovers that his long-absent father has been in prison and now wants to be reunited with his son. As in all good children's books (it's for eight-plus), a fantasy problem throws light on a real-life problem.

Hooray for Malorie Blackman, the mistress of the computer-generated thriller. *Dangerous Reality* (Doubleday, £10.99; ISBN 0 385 40680 0) pits a boy against an amazing robot created by his own mother for use in the nuclear industry but prone to run amok, as these things so often do. Blackman shows off her versatility in another new book, *Tell Me No Lies* (Macmillan, £10.99; ISBN 0 333 72645 6), which is even more suspenseful despite having no special effects — no aliens, no ghosts, no fantasy technology. Just two damaged teenagers — a blackmailer and her victim — who discover that the truth can be a deadly weapon.

Not that there is anything wrong with fantasies. You just need to control them, as 11-year-old Cy finds in Theresa Breslin's cheery *The Dream Master* (Doubleday, £10.99; ISBN 0 385 41029 8). Cy accidentally brings a friend back with him from his exciting dream about Ancient Egypt, causing confusion and fun at school. Some good scary bits will keep eight-plus readers flipping the pages, and Cy's annoyingly one-track-minded sister, who decides the Egyptian lad's floppy black hair means he's a new type of pop star, is a joy.

Slobhan Parkinson unpicks the self-absorption of adolescent sisters in her excellent *Sisters — No Way* (O'Brien, £4.50; ISBN 0 862 78495 6). Half the book is printed upside down, with each half devoted to the diary of one of a pair of ill-matched sisters — aliens to each other in all but name. The fun is that it's



Brain food: books instead of chocolate eggs this Easter?



pot-luck which diary you read first. Cindy, 15, is a self-pitying teenager with something to be self-pitying about — her mother has died of cancer. Cindy strikes dramatic poses but the true drama of her life thwarts her. Older, more worldly-wise and more mature, Ashling regards Cindy with amusement and contempt.

You could begin with Cindy's strop diary, full of impotent rage, then see her ridiculed in Ashling's account; or read them the other way round, or simultaneously. Each choice gives you a different, razor-sharp book for ages 13 upwards.

Exasperation with self-obsessed, appearance- fixated adolescents may be why Anne Fine wrote *Charm School* (Doubleday, £10.99;

ISBN 0 385 41047 6). Her sparky heroine, Bonny, is forced to spend a day with a teenage beauty class. Aaarrrgh! Happily, she sabotages their end-of-term show by taking charge of the stage lighting — with a vengeance. For eight-plus, mainly girls.

Odo Hirsch's *Antonio S and the Mystery of Theodore Guzman* (Alken & Uppin, £4.99; ISBN 1 864 48409 8) has a delicious flavour of magic about it, although nothing magical ever happens. This paradox makes the book magical in its own right — but I fear few children will finish it, because around the one-third mark the story meanders and trickles into the sand.

Antonio lives in a flat in a converted dilapidated palace (you know the sort of place) and his father is an escapologist, so he is hardly surprised to find a hidden passage leading to the apartment of the uncommunicative Mr Theodore Guzman, once a great actor. A play's the thing, Antonio decides, to thaw the reclusive, and staging one, he learns the deepest secrets of drama.

The nine-plus child who persists with this story will find a truly brilliant account of how a play is made; as well as jewel-like images such as that of Mr Guzman's tiny, octagonal theatre, with its wonderful, secretive cabinets filled with miniature stage sets and carved wooden characters.

provide a suitable dowry: he was amusing, personable, and an excellent dancer. Vitale sometimes sounds as if she is a little in love with d'Anthes's sunny charm herself. She is rather less sympathetic to Pushkin. She quotes with some relish accounts of his uncontrollable anger, and on one occasion even condemns in her own voice the "mediculous chilling tenacity of his hatred".

Vitale breaks her narrative whenever she wants to set opposing evidence side by side. And mysteries remain, not least the question of who sent the anonymous letters, welcoming Pushkin into an Order of Cuckolds, which precipitated Pushkin's challenge to d'Anthes. That puzzle shows Vitale at her best. She allows us to share her conjectures. The reader is made privy to the ponderings of a mind not only in pursuit of facts, but given to enjoying the invention of possible scenarios. Idiosyncratic as this book may be, Vitale's exploration of the circumstances behind Pushkin's wasteful death is riveting.

kin's wife, Natalya, whom he was publicly pursuing. That Natalya flirted outrageously with d'Anthes is not in dispute, though Pushkin believed she was physically innocent. She was reckoned the most beautiful woman at the court of Tsar Nicholas, and saw in d'Anthes the kind of man she might have married if her family had been able to

Elementary, my dear reader

In this fascinating account of the last year of Pushkin's life, Professor Serena Vitale has invented a new literary form somewhere between biography and detective story, in which the streets of St Petersburg, or the interiors of houses along Nevsky Prospekt are all equally part of the action. Beautifully written, and crammed with exquisite detail, this book is the work of an artist and a scholar.

Vitale opens with newspaper reports of Pushkin's death in a duel at the age of 37, and these give a sense of the grief felt by the Russian people. That done, Vitale is able to move to her central concern, and here there is a surprise. For it is Baron Georges d'Anthes, vilified by Russians as Pushkin's murderer, whose story concerns Vitale most.

from the moment she opens the worn suitcase in an attic to which a descendant of the Van Heeckeren family had given her access. Within that suitcase lay a cache of letters from d'Anthes, which has already put any biography of Pushkin in Professor Vitale's debt.

Other writers had guessed at a homosexual attachment between the Dutch Ambassador to St Petersburg, Baron Van Heeckeren, and Georges d'Anthes, the handsome but penniless young Frenchman he presented as his adoptive son. What Georges himself felt, other than gratitude, is only surmise, but there is no longer any doubt that Baron Van Heeckeren was passionately in love with the young man, and that d'Anthes often assured his protector he was equal in his affections to Push-

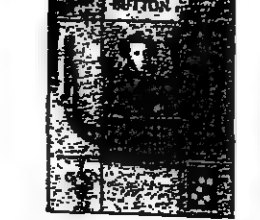
ELAINE FEINSTEIN

PUSHKIN'S BUTTON

By Serena Vitale

Fourth Estate, £16.99

ISBN 1 85702 935 6



kin's wife, Natalya, whom he was publicly pursuing.

That Natalya flirted outrageously with d'Anthes is not in dispute, though Pushkin believed she was physically innocent. She was reckoned the most beautiful woman at the court of Tsar Nicholas, and saw in d'Anthes the kind of man she might have married if her family had been able to

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TOKEN COLLECTION REQUIRED

CHANGING TIMES

Bargains of the week: from breaks in Malvern for chocoholics to late skiing in the French Alps or sightseeing in Shanghai



PACK YOUR BAGS

A selection of last-minute holidays and travel opportunities at home, on the Continent and further afield, many at bargain prices.

BRITISH ISLES

JERSEY is busy promoting itself as the place to be this spring—and with some justification, as the flowers begin to bloom and the sea turns blue again. Tony Dawe writes.

Among many good offers available are three-night breaks at the four-star Hotel La Plage, close to St Brelade's Bay, for £267 including return flights from Stansted. The offer continues until April 18 and rooms are available over Easter, although flights may be difficult to find. Details: 01534 742261.

On the bay itself, L'Horizon proposes spring golf breaks from £64 a night for a minimum of two nights. The price, available until May 10 but not over Easter, includes dinner, B&B, car hire and travel to a choice of four courses. Non-golfers can enjoy the health club and sandy beach. Details: 01534 43101.

BLENNHEIM Palace, one of Britain's stately piles, can be visited free on short breaks to The Bear, the old coaching inn in nearby Woodstock, Oxfordshire. Two nights' dinner, B&B costs £120 midweek and

£12 more at weekends this month. Details: 01993 811511.

FAMILY cycling breaks in Gloucestershire with Compass Holidays this weekend include entry to the Slimbridge Wildlife and Wetlands Trust, currently home to thousands of ducks and geese. Two nights' B&B at a country inn plus route guides is £99. Details: 01242 250642.

CALLING all chocoholics: two-night breaks at the Foley Arms Hotel in Malvern, Worcestershire, include Belgian goodies, chocolate body paint, a visit to Cadbury World and dinner, B&B for £150. Details: 01684 573397.

THE FREEDOM of Wales is what next month's Welsh assembly elections are all about—but it is also the title of a new bus and rail pass, which is available from Wales Tourism and also offers discounts at Youth Hostels. A four-day "castles, mountains and coast" itinerary, for example, will cost £58, including the pass and accommodation. Details: 08457 125625.

IRISH holidays at a discount, for bookings this month, feature in a brochure from Sena Line Holidays. Prices, including ferry travel, range from £68 for two-night farmhouse breaks to £123 for four-day tours to the Giant's Causeway, Londonderry and Armagh. Details: 0990 747474.

COTTAGES sleeping four on South Devon farms with leisure facilities, are available for £248 a week this month from Toad Hall Cottages. Details: 01548 853089.



If you're prepared to fly on Easter Day from Manchester, the Algarve is available at just £279 for a fortnight

EASTER holidays are still available at this late hour with a choice of Mediterranean sunshine and Alpine skiing. The best deals to the sun are available from Co-op Travelcare but there are disadvantages: some involve staying for a fortnight and flying on Easter Day.

An Airtours package to the Algarve from Manchester involves just that, but costs only £279 for a fortnight. Ten nights' self-catering on the Costa Brava for £299 and a fortnight in Majorca for £279 are also available with flights from Manchester on Saturday. Details: 0541 500388.

SKIING holidays starting on Saturday are on offer with savings of £140 and more from Neilson Ski with a choice of French Alpine resorts ranging from Val Thorens for £349 to Méribel and Courcheval for £399. The prices include return flights from Gatwick

and half-board in chalets. Details: 0990 141414.

LES MENUIRES, also in the French Alps, should still offer good skiing the following week because it is one of Europe's highest resorts. Ski Independence has a week's self-catering from April 10 for £162 including Channel crossing for car and passengers. Details: 0870 600 1462.

ITALY'S "secret" coastal village, Montemarcello, which was cut off from the rest of the Italian Riviera until 40 years ago, is being featured by Invitation to Tuscany. Among properties available in the village is an apartment in a restored olive oil mill overlooking the Magra Valley and white marble mountains. It sleeps four and costs £450 a week from April 10 to May 15. Details: 0121 429 5016.

CRUISING through the Mediterranean to the Holy Land is possible from £399

with Seafarer. Fly from Gatwick to the Greek island of Lesbos on April 8 for a week aboard Aegean 7, including a two-night stop in Rhodes for Greek Easter and visits to Egypt and Israel. Details: 01202 688500.

RHODES itself is remarkably cheap between Easter and the start of the summer season and the best prices discovered so far are for self-catering studios in Faliraki. Olympia Odyssey offers a week with a flight from Gatwick on April 21 for £135 and a fortnight with a flight from Manchester on the same day for £168. Details: 0181 343 9090.

SPRING migration in the French Pyrenees, as spectacular birds return to Europe from Africa, can be viewed on a week's trip from April 16 with Wildlife Worldwide. The tour costs £645 including return flights from London, half-board in a mountain inn, car hire and detailed dossiers

on the bird and botanical life. Details: 0181 667 9158.

COUPLES seeking to escape the Easter rush can take advantage of Eurocamp's offer of a week from April 11 in a luxury mobile home at a campsite near Compiègne for £143, including short Channel crossing. Details: 01606 787878.

MADEIRA for a week for £239 is good value for this normally expensive island, especially as it includes half-board at a three-star hotel at Santa Cruz. The Airtours holiday, available from Lunn Poly, begins with a flight from Gatwick on April 14. Details from Holiday Shops.

SHORT breaks by rail are highlighted in the New Directions guide, just issued by Rail Europe, and it is full of details about the destinations. Prices for return rail travel from London start from £69 to Lille and £99 to Paris, Rheims and Dijon. Details: 0870 848848.

LONG Haul

HOLIDAYS in the United States are on offer this week, whether it's the White House gardens, the gaming tables of Las Vegas or the beaches of Florida you wish to explore.

Bill Clinton's back lawn is open, with military bands playing on April 17 and 18, and you can stroll on it courtesy of Runway Holidays, which is offering three nights in Washington from £269, a £120 saving. The package includes return flights from Heathrow and is available from April 12 to 30 but must be booked by April 9 and include a Saturday night. Details: 0181 466 0222.

The Las Vegas deal is available on Sundays this month from April 10, with flights from a choice of UK airports. It involves five nights at the Circus Circus hotel with its free circus acts and Adventure dome theme park, and costs from £309 with Premier Holidays. Details: 01223 516688.

FLORIDA flights are on offer from Bon Voyage, with return midweek trips from Gatwick to a choice of destinations, including Key West and West Palm Beach, costing £269. The flights are available in May and June but must be booked by April 10. Child discounts available. Details: 0800 316 0194.

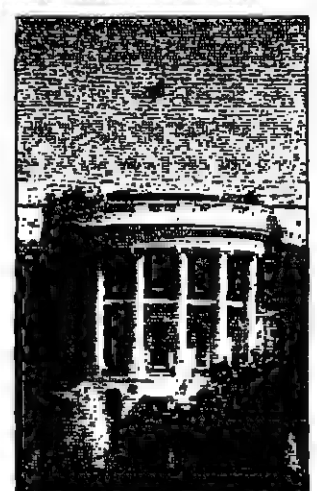
CHINA Holidays, on the other side of the world, is offering six nights in Shanghai for £499 as new routes continue to open up the country for tourists. The package, available from May 22 to June 30, includes return Virgin Atlantic flights from Heathrow and B&B at a four-star hotel with day trips to the local sights available from £30 a time. Details: 0171 287 6727.

JOHANNESBURG for £328 return with Virgin Atlantic flights from Heathrow is a new offer from Bridge The World. Travel from next week until June 19 but book by April 9. Details: 0171 911 0900.

CAIRO for five nights and a week touring northern Egypt are among the deals currently available. The trip to Cairo with Bales Worldwide includes five nights' B&B at a top hotel close to the Pyramids

and sightseeing, costs £495 and leaves from Heathrow on May 6. The tour with The Imaginative Traveller costs the same, starts from Heathrow on April 11 and takes in Alexandria, a bicycle tour of Siwa Oasis, Coptic monasteries and Cairo. Entrance fees and some meals are included. Details: Bales 01306 732718; Imaginative Traveller, 0181 422 8612.

TRACE the footsteps of Ernest Hemingway in Old Havana with Direct Line Holidays, which offers a week in the city from £499 with a flight from Heathrow on April 10 and B&B at the Hotel Inglaterra. Details: 0181 239 3300.



Imposing: the White House

THAILAND is associated with many bizarre activities but golf has not been one of them—until now. Asian Explorer is promoting golf holidays to the country, including a week at Pataya for £673 with return scheduled flights and three 18-hole rounds at different courses. Details: 01481 823417.

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Discrimination against disabled people

Clark v TDG Ltd, trading as Novacold

Before Lord Justice Beldam, Lord Justice Roch and Lord Justice Mummery

[Judgment March 25]

Less favourable treatment of a disabled person was discriminatory under section 5(1) of the Disability Discrimination Act 1995 only if it was unjustified. Treatment was less favourable if the reason for it did not or would not apply to others.

In deciding whether that reason did not or would not apply to others, it was not appropriate to make a comparison of the cases in the same way as in the Sex Discrimination Act 1975 and the Race Relations Act 1976. It was simply a case of identifying others to whom the reason for the treatment did not or would not apply.

The test of less favourable treatment was based on the reason for the treatment of the disabled person and not on the fact of his disability. It did not turn on a like-for-like comparison of the treatment of the disabled person and of others in similar circumstances.

The Court of Appeal so held in allowing the appeal of Mr Darren Clark, to the limited extent that there was less favourable treatment of him within section 5(1)(a) of the 1995 Act but that there was no need to remit that question to the industrial tribunal who had held to the contrary, on August 21, 1997, when dismissing his claim for unfair dismissal, against the defendants, Novacold, but that the question of justification of his dismissal should be remitted for rehearing to the same tribunal.

Section 5 of the 1995 Act provides: "(1) For the purposes of this Part, an employer discriminates against a disabled person if - (a) for a reason which relates to the disabled person's disability, he treats

him less favourably than he treats or would treat others to whom that reason does not or would not apply; and (b) he cannot show that the treatment in question is justified."

Mr Robin Allen, QC and Mr Neil Cameron for Mr Clark; Mr Peter Oldham for Novacold.

LORD JUSTICE MUMMERY said that on the employee's appeal, the Employment Appeal Tribunal on May 22, 1998 had directed that the case be remitted to the tribunal, but both sides had objected to that order and appealed to the Court of Appeal.

This was the first case to come before the court on the 1995 Act. The facts of the case were simple. The law was novel. The arguments were complicated.

Mr Clark alleged that he suffered an injury while working for the defendants at a job which was physically demanding. Novacold paid him full sick pay for 16 weeks before dismissing him after receiving a report from an orthopaedic consultant that he was unable to state when it would be possible for him to return to work.

The industrial tribunal dismissed his complaint, finding that he was not treated less favourably than Novacold would treat others absent from work for reasons other than disability but that, if contrary to his view, there had been less favourable treatment, it would not have been justified.

The tribunal dismissed Novacold's contention that the reason did not relate to Mr Clark's disability.

Contrary to what might reasonably be assumed, the exercise of interpreting the provisions of the 1995 Act was not facilitated by familiarity with the pre-existing legislation prohibiting discrimination in the field of employment, and

elsewhere, on the grounds of sex and race.

Indeed it might be positively misleading to approach the 1995 Act with assumptions and concepts familiar from experience with the workings of the 1975 and 1976 Acts. Unlike the earlier discrimination Acts, the 1995 Act did not draw the crucial distinction between direct and indirect discrimination on specified grounds.

It provided a defence of justification to less favourable treatment which would constitute direct discrimination and be without a defence under the earlier Acts; and it did not replicate the express requirement of the 1975 Act (section 5(3)) and the 1976 Act (section 3(4)) that, when a comparison of the cases of persons of different sex or persons of different racial groups fell to be made, the comparison had to be such that the relevant circumstances in the one case were the same, or not materially different, in the other.

One consequence of those differences was that the terms "discriminate" and "discrimination" were not used in the same sense as in the earlier Acts. Failure to discern that difference in meaning in decision-making, and in commentaries on both the 1995 Act and on decisions under it, could lead to serious conceptual confusion.

In Part II of the 1995 Act "discrimination" was defined as less favourable treatment which was not shown to be justified. If the less favourable treatment of a disabled person was shown to be justified it was not discrimination within the Act.

That was to be contrasted with the 1975 Act and the 1976 Act under which a person directly discriminated against another if, on the specified ground of race or sex, he treated that other less favourably than he treated or would treat others.

persons. Justification did not enter into it.

His Lordship said it was clear from the finding of the tribunal that Mr Clark had been dismissed for a reason relating to disability. The question that remained was whether Novacold treated him less favourably than they would treat others to whom that reason would not apply. What was meant by that reason?

In the context of the special sense in which "discrimination" was defined in section 5 of the 1995 Act it was more probable that Parliament meant that reason to refer only to the facts constituting the reason for the treatment, and not to include within that reason the added requirement of a causal link with disability that was more properly regarded as the cause of the reason for the treatment than as in itself a reason for the treatment.

That interpretation avoided the difficulties which would be encountered in many cases in seeking to identify what the appeal tribunal referred to as the characteristics of the hypothetical comparator.

It would avoid the kind of problems which the English and Scottish courts and tribunals encountered in their futile attempts to find and identify the characteristics of a hypothetical non-pregnant male comparator for a pregnant woman. In sex discrimination cases before the decision of the European Court of Justice in *Webb v Emo Air Cargo (UK) Ltd* (Case 33/53) [1994] QB 718; see also *Webb v Emo Air Cargo (UK) Ltd* (No 2) [1995] 1 WLR 1454.

That interpretation was also consistent with the emphasis on whether the less favourable treatment of the disabled person was shown to be justified. That defence was not available in cases of direct discrimination under the other discrimination Acts.

On Mr Clark's interpretation of section 5(1), the reason for his dismissal would not apply to others who were able to perform the main functions of his job. He had been treated less favourably than those others.

He was dismissed for being unable to perform the main functions of his job. The others would not be dismissed for that reason.

However, that did not necessarily mean that Mr Clark had been discriminated against. It was open to Novacold to show that the dismissal was justified. The question was: was the less favourable treatment of Mr Clark shown to be justified under section 5(1)(b)?

There was an error of law in the reasoning of the tribunal which made it necessary to remit the question of justification for rehearing. The tribunal appeared to have overlooked paragraph 6-21 of Code of Practice: Disability Discrimination, (1996), issued pursuant to section 53 of the 1995 Act, which provided:

"Disability, including compulsory retirement, of a disabled person for a reason relating to disability would need to be justified and the reason for it would have to be one which could not be removed by any reasonable adjustment. It would be justifiable to terminate the employment of an employee whose disability makes it impossible for him any longer to perform the main functions of his job, if an adjustment such as a move to a vacant post elsewhere in the business is not practicable or otherwise not reasonable for the employer to make."

Lord Justice Roch and Lord Justice Beldam agreed.

Solicitors: Stamp Jackson & Procter, Hull; Clarks, Reading.

Wife can end tenancy without husband

Sanctuary Housing Association v Campbell

Before Lord Justice Thorpe and Lord Justice Potter

[Judgment March 18]

A wife, the sole tenant of a maisonette, was entitled to surrender her contractual tenancy by operation of law although her husband was living in the property at all material times.

Section 1 of the Matrimonial Homes Act 1983 did not restrict the right to surrender nor vest in the husband indefinite rights of occupation of the former matrimonial home only terminable by an order under section 1(2)(a) or otherwise within the court's jurisdiction.

The Court of Appeal so held in the appeal of the defendant, Donald Campbell, against the order of Mr Assistant Recorder Nicholas Warren, QC, in Edmonstone County Court on August 8, 1998, after the hearing of preliminary issues and granting declarations that the defendant's wife was entitled to surrender her tenancy of 38 Belmont Road, South Tottenham, London to the plaintiff housing association and that the defendant's rights of occupation under the 1983 Act at the time of surrender were not binding on the plaintiff.

The housing association granted the wife a secure weekly tenancy of the three-bedroom maisonette in April 1990 which she occupied with her three children and the defendant, whom she married in July 1995. She and the children left in September 1996 allegedly as a result of his violence.

The housing association, refusing to accept the defendant as a tenant, required vacant possession when they were re-housed. In January 1997 the wife told the housing association she had been re-housed and was giving up the tenancy, and since she was unable to take her property out of the premises as the locks had been changed, she returned the keys to the plaintiff, which then wrote to the defendant requiring him to leave.

Miss Julia Smart for the defendant; Mr Anthony Tanney for the housing association.

LORD JUSTICE THORPE said that on the agreed facts there was a surrender of the contractual tenancy by operation of law when the defendant himself did all she could to comply with the plaintiff's request to vacate the premises and return the keys; her allegedly

violent husband was in possession and denying her access.

Miss Smart, conceding that the defendant would have no defence to the plaintiff's claim for possession if he had not been married to his tenant, relied on *Hoggett v Hoggett* (1979) 39 P & CR 121.

His Lordship said that, superficially, that case supported her proposition that for there to be a surrender by operation of law there had to be a delivery of possession by the tenant, and that the tenant could make no valid surrender if the spouse remained in occupation.

Mr Tanney submitted that such a proposition had been arrived at by concession in that case (p127) and derived from two cases decided under the common law, *Old Gate Estates Ltd v Alexander* (1950) 1 KB 311 and *Middleton v Baldock* (1950) 1 KB 657.

His Lordship said that it was important to emphasise that all three cases considered the position of separated spouses whose matrimonial home prior to separation were the subject of tenancies controlled by the Rent Acts, under which members of the tenant's family enjoyed statutory protection, only being subject to eviction in very restricted circumstances.

In the present case, the contractual tenancy was simply a secure tenancy within the Housing Act 1985, the effect of which was only to restrict the circumstances in which the landlord might pursue unilateral termination.

The dicta of Lord Justice Denning in the two later cases were of no surviving force in relation to a contractual secure tenancy where the rights of the spouses were controlled by the Matrimonial Homes Act 1983.

Also, the *Hoggett* case was distinguishable: not only was the court there concerned with a Rent Act tenancy, the proposition relied on by Miss Smart was founded on the concession made in that case which in turn was founded upon the two earlier cases.

Any right that the defendant might have to continuing occupation had to derive from the 1983 Act, not re-pealed in the Family Law Act 1996. Miss Smart contended that section 1(1)(a) of the 1983 Act was wide enough to protect the defendant not only from eviction by the wife but also from the plaintiff's otherwise lawful entitlement to possession.

These arguments purportedly surrendered or terminated in order to be effective had to be preceded by application to the court for an order terminating the tenancy.

Invoking asset-freezing jurisdiction

Commissioners of Customs and Excise v Anchor

Before Mr Justice Neuberger

[Judgment February 26]

The court could invoke the Mareva (asset freezing) jurisdiction even where a defendant proposed to effect a bona fide transfer of assets for a price in accordance with a valuation from an independent and respectable firm of accountants.

However, a Mareva injunction represented a very serious interference with a defendant's freedom and the court should not be too ready to grant such relief in the context of a bona fide transaction.

Mr Justice Neuberger so held in the Chancery Division when granting the plaintiffs, the Commissioners of Customs and Excise, an interim Mareva injunction against the defendants, Anchor Foods Ltd.

Mr Richard McComb, QC, Mr Paul Giorlami and Miss Amanda Tipples for the commissioners; Mr David Pannick, QC, Mr Adam Lewis and Miss Sandra Bristol for Anchor.

MR JUSTICE NEUBERGER said that defendants, who processed, distributed and sold New Zealand butter and other dairy products, received post clearance demand notes from the plaintiffs totalling £264 million. They intended to transfer their entire business to

a new company formed for the purpose, New Zealand Milk (UK) Ltd, leaving behind the debt owed to the plaintiffs.

Ernst and Young, accountants, had assessed the market value of the net assets and business of the defendants in the range of £8 to £10.5 million. Accordingly, a transfer price to NZM was arranged in the sum of £9 million.

The plaintiffs instructed their own accountants who came to the conclusion that the defendants' business was worth substantially more than the figure estimated by Ernst and Young.

Proceedings were commenced for the payment of customs duty and the plaintiffs sought an interim injunction to restrain the proposed transfer of the defendants' business until after the judgment.

Mr Pannick contended that it was inappropriate to invoke the Mareva injunction jurisdiction in circumstances where the defendants proposed a bona fide transfer of assets following a valuation from an independent and respectable firm of accountants.

His Lordship said that he did not accept that the fact that the proposed sale was at a price which was in accordance with the independent valuation of one of the top firms of chartered accountants prevented the court from interfering with the transaction.

nating the defendant's rights under section 1(2)(a).

Mr Tanney submitted that any rights of occupation of the defendant derived from the Act had to be dependent on the edges of a contractual right of occupation in the other spouse, so that the logical development of the defendant's submission was that the wife remained the tenant entitled to occupation and liable for rent despite the surrender effected in 1997.

In his Lordship's view, that would be manifestly absurd. There was nothing within section 1 to restrict the wife's right to terminate her contractual relationship with the plaintiff, and nothing within that section to vest in the defendant indefinite rights of occupation of the former matrimonial home only terminable by an order under section 1(2)(a) or otherwise within the court's jurisdiction.

The section was plainly intended to operate to regulate the rights of spouses inter se. The defendant had neither registered a class F land charge, under section 2(7) of the Land Charges Act 1972, nor initiated any proceedings against his wife under the 1983 Act. He sought no relief against her until filing a petition for dissolution in September 1997 at which date pleadings in the possession action were already closed.

As regards the defendant's right to register, it was common ground that, despite the failure to register, the tenancy was kept alive for the purposes of preserving the charge for so long as it would have continued had the tenancy not been surrendered, unless the plaintiff gave valuable consideration for the surrender.

His Lordship preferred Mr Tanney's submission that surrender was an essentially consensual process under which the parties invariably negotiated the basis on which their contractual relationship was to end.

The plaintiff made it plain it would not release the wife from her continuing liability for the rent of the premises until she returned them to their possession in the manner stipulated.

She met her side of the bargain in so far as she was able and to the plaintiff's satisfaction. The release of the plaintiff thereupon granted was effectively the price that the plaintiff paid to liberate the premises from her tenancy.

Lord Justice Potter agreed.

Solicitors: Martin Shepherd & Co, Enfield; Stafford Young Jones.

VAT treatment of out-of-country supplies

Commissioners of Customs and Excise v Liverpool School of Performing Arts

Before Lord Justice Nourse, Lord Justice Judge and Lord Justice Tuckey

[Judgment March 17]

The provisions of Part V of the Value Added Tax (General) Regulations (SI 1985 No 836) required out-of-country supplies not to be treated as taxable supplies for the purposes of identifying the basis on which input tax was to be apportioned between taxable and exempt supplies.

The Court of Appeal so held in a reserved judgment allowing an appeal by the Commissioners of Customs and Excise from Mr Justice Carnwath (The Times, February 10, 1998) [1998] STC 279 who upheld a decision of a VAT tribunal in respect of a ruling of the commissioners that certain supplies made by the taxpayer, Liverpool School of Performing Arts, nor Liverpool

Institute for Performing Arts, were not to be treated as taxable supplies for the purposes of calculating the deductible proportion of input tax.

Mr Kenneth Parker, QC, who did not appear below, and Miss Philippa Whipple for the commissioners; Mr Roderick Cordara, QC and Mrs Perdita Cargill-Thompson for the taxpayer.

LORD JUSTICE NOURSE said that the appeal raised a question on the interaction of regulation 30, on attribution of input tax to taxable supplies, and regulation 32, on attribution of input tax to foreign and specified supplies, of the 1985 Regulations.

The legislation distinguished between various categories of supplies. Output tax was charged on taxable supplies of goods and services made in the United Kingdom by a taxable person in the course of his business, credit being given for

input tax charged on goods and services supplied to him and attributable either to his taxable supplies or to supplies outside the United Kingdom which would be taxable supplies if made in the United Kingdom; referred to as out-of-country supplies.

On the other hand credit was not given for the input tax attributable to exempt supplies. Thus when a taxable person who made both taxable and exempt supplies incurred expenses which were not attributable exclusively to one category or the other, the obvious example being the overheads of running his business as a whole, the input tax charged thereon, commonly called "residual input tax", had to be apportioned.

In the present case the taxpayer had made taxable, out-of-country and exempt supplies and the question required the identification of the basis on which the residual input

tax should be apportioned between them.

The relevant legislation, brought into being consequent on the European Sixth Directive (77/388/EEC) (QJ 1977/L255), was the Value Added Tax Act 1983 as supplemented by the 1985 Regulations.

Section 15 of the 1983 Act provided for allowable input tax.

By section 15(3) the commissioners were empowered to make regulations for "securing a fair and reasonable attribution of input tax" to taxable supplies and out-of-country supplies.

It was important to emphasise that, although a taxable person who made out-of-country supplies had a right to deduct input tax attributable to those supplies, they were not themselves taxable supplies.

The 1985 Regulations, made pursuant to the power contained in sec-

tion 15(3), made provision in regulation 30 for the attribution of input tax to taxable supplies.

The question for decision arose out of regulation 30(2)(4) which provided that a proportion of the input tax which could not be exclusively attributed in accordance with the preceding subparagraphs, that is, a proportion of the residual input tax, should be attributable to taxable supplies in accordance with a formula multiplying residual input tax with the value of taxable supplies divided by the value of all supplies.

The dispute between the parties centred on what was included in "all supplies" in the denominator of that fraction. Did it, as the taxpayer had twice successfully contended, include not only taxable and exempt supplies but also out-of-country supplies? Or was it, as the commissioners contended, limited to taxable and exempt supplies?

Mr Parker started from the proposition that "taxable supplies" in regulation 30(2) did not include out-of-country supplies. He then pointed to regulation 30(2)(4) which precluded input tax on goods and services used or to be used exclusively either in making exempt supplies or "in carrying on any activity other than making exempt supplies" from being attributed to taxable supplies.

Since, he submitted, making out-of-country supplies was an activity other than the making of taxable supplies, it was clear that input tax attributable to out-of-country supplies was excluded from regulation 30(2) and it would thus be anomalous to include the value of such supplies in the denominator of the fraction under regulation 30(2)(4).

The logic of Mr Parker's argument was impressive and should be adopted. The true intention and effect of regulation 30(2)(4) was not in doubt and there was no need to resort to the Sixth Directive as an aid to construction.

Lord Justice Judge and Lord Justice Tuckey agreed.

Solicitors: Solicitor, Customs and Excise; Crocker Oswald Hickson.

Commissioners of Customs and Excise v Anchor

Before Mr Justice Neuberger

[Judgment February 26]

The court could invoke the Mareva (asset freezing) jurisdiction even where a defendant proposed to effect a bona fide transfer of assets for a price in accordance with a valuation from an independent and respectable firm of accountants.

However, a Mareva injunction represented a very serious interference with a defendant's freedom and the court should not be too ready to grant such relief in the context of a bona fide transaction.

Mr Justice Neuberger so held in the Chancery Division when granting the plaintiffs, the Commissioners of Customs and Excise, an interim Mareva injunction against the defendants, Anchor Foods Ltd.

Mr Richard McComb, QC, Mr Paul Giorlami and Miss Amanda Tipples for the commissioners; Mr David Pannick, QC, Mr Adam Lewis and Miss Sandra Bristol for Anchor.

MR JUSTICE NEUBERGER said that defendants, who processed, distributed and sold New Zealand butter and other dairy products, received post clearance demand notes from the plaintiffs totalling £264 million. They intended to transfer their entire business to

a new company formed for the purpose, New Zealand Milk (UK) Ltd, leaving behind the debt owed to the plaintiffs.

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Proceedings were commenced for the payment of customs duty and the plaintiffs sought an interim injunction to restrain the proposed transfer of the defendants' business until after the judgment.

Mr Pannick contended that it was inappropriate to invoke the Mareva injunction jurisdiction in circumstances where the defendants proposed a bona fide transfer of assets following a valuation from an independent and respectable firm of accountants.

His Lordship said that he did not accept that the fact that the proposed sale was at a price which was in accordance with the independent valuation of one of the top firms of chartered accountants prevented the court from interfering with the transaction.

Under section 37(1) of the Supreme Court Act 1981 a Mareva injunction could be granted if the court considered it just and convenient to do so. His Lordship said that he could see no reason in principle or commercial common sense to fetter that jurisdiction. However, the bona fides of the transaction was a strong factor that could be relied upon by the defendants on the issue of discretion.

The purpose of the Mareva injunction was to afford protection to persons whose claim was good and arguable. However, it was not to be used so as to impede or interfere with a defendant's ordinary, bona fide business transactions.

A Mareva injunction represented a very serious interference with the defendant's freedom and the court should not be too ready to grant such relief in the context of a bona fide transaction.

In the instant case, however, there was not an arms' length sale by the defendants of an asset in the open market. It was a transfer of the whole of the defendants' undertaking to a new party formed for the purpose and owned by the person who effectively owned the defendants. It was also a transfer effected because of the existence of the very claim that the plaintiffs relied on in the proceedings.

Solicitors: Solicitor, Customs and Excise; Dobb Lupton Alsop.

Refusing consent for undesirable purpose

Ashworth Frazer Ltd v Gloucester City Council

Before Mr David Donaldson, QC

[Judgment February 24]

It might be reasonable for a landlord to refuse consent to the assignment of a lease where the landlord apprehended that the proposed assignee intended to use the premises for an undesirable purpose, whether or not the proposed user was also prohibited by the terms of the lease. The existence of a right to enjoin the assignee at a later date could, however, be relevant to the question of reasonableness where the intention to use the premises for a prohibited purpose was subject to a significantly uncertain contingency.

Lord Justice Donaldson, QC, sitting as a deputy judge of the Chancery Division, so held in a reserved judgment deciding as preliminary issues.

It was the only permitted use of the premises situated in the south-eastern corner of the site of the old cattle market in Gloucester and demised by the defendant, Gloucester City Council, under a lease dated April 28, 1969 were those set out in classes III, IV or X of the Town and Country (Use Classes) Order (SI 1963 No 709):

(i) that if the user proposed by Mountstar Metal Corporation Ltd, the intended assignee of the plaintiff, Ashworth Frazer Ltd, would constitute a breach of the lease then that did not of itself render unreasonable the defendant's objection to the proposed assignment.

Mr Kim Lewson, QC, for the plaintiff; Mr Nigel Davis, QC and Mr Andrew Westwood for the

defendant. His Lordship said that the council was the freehold owner of land and buildings at the site of the old cattle market in Gloucester.

On April 28, 1969 it granted a development lease of 14.5 acres there site for 114 years from December 25, 1968, which was divided up into parcels through deeds of severance and assignment to various tenants, each holding direct from the landlord under the terms of the lease, the rent having been apportioned.

In September 1973 the plaintiff took an assignment from Kentron Plastics Ltd of the south-eastern corner of the site. The lease contained the usual lessee's covenant not to assign the demised premises without the consent of the lessor, such consent not to be unreasonably withheld.

On May 13, 1997, on the application of Mountstar Metal Corporation, the defendant as the local planning authority granted permission for the use of the premises for metal recycling. On July 16, 1997 the plaintiff requested the defendant's consent to the assignment to Mountstar of the unexpired term of its lease.

On September 16, 1997 the defendant refused on the ground that the use of the premises intended by Mountstar would be in breach of the user restrictions in the lease, which inter alia confined the tenant to uses within use classes III, IV or X of the 1963 Order, namely:

Class III - Use as a light industrial building for any purpose.

Class IV - Use as a general industrial building for any purpose.

Class X - Use as a wholesale warehouse or repository for any purpose.

son's contention, based on *Killick v Second Covent Garden Property Co Ltd* [1973] 1 WLR 658, that the landlord's fear that a proposed assignee would or might break a restriction on use was not a proper ground for refusing consent to the assignment.

While it might sometimes be reasonable for a landlord to refuse his consent to an assignment on the ground of the use proposed by the assignee even though that user was not prohibited by the lease (see: *International Drilling/Fluids Ltd v Louisville Investments (Uxbridge) Ltd* [1966] Ch 513, 520), the power to enjoin the assignee's user depended upon whether it was in breach of the head lease.

It was less obvious that the ability to deploy that weapon must be created as automatically rendering unreasonable any objection by the landlord to the assignment which absent that advantage would otherwise have been reasonable.

In *Killick* the lessee covenanted not to use premises in the City of London for any purpose other than printing. The lease also contained the usual covenant against assignment without the consent of the landlord not to be unreasonably withheld.

When it became unprofitable to carry on a printing business from the premises, the lessee and under-lessee sought consent for an assignment to an assignee who proposed to apply for planning permission for offices and then to convert them for that purpose, the landlord refused.

The Court of Appeal held that the landlord's refusal of consent was unreasonable because the

assignment did not necessarily involve a breach of covenant. The landlord was in the same position to enforce the user covenant against the assignee as against its present tenant.

However, the landlord could reasonably refuse consent to an assignment which would necessarily involve a breach of covenant: see *Packaging Centre Ltd v Poland Street Estate Ltd* ([1961] 178 EG 189), *Granada TV Network Ltd v Great Universal Stores Ltd* ([1963] 187 EG 391).

Killick was not authority for the proposition that nothing else could suffice in a case where a sub-lease or, automatically, an assignment did not itself specify a user prohibited by the lease.

Applying *International Drilling*, there was no reason why withholding consent in such cases might

Court of Appeal

Law Report April 1 1999

Court of Appeal

Landlord's right to double rent

Legal aid duty to disclose all material facts

Ballard (Kent) Ltd v Oliver Ashworth (Holdings) Ltd
Before Lord Justice Stuart-Smith,
Lord Justice Robert Walker and
Lord Justice Laws
[Judgment March 18]

A landlord's right to double rent under section 18 of the Distress for Rent Act 1737 (11 Geo 2, c 19) only arose where the tenant held over after serving a valid notice to quit and was in fact a trespasser and the landlord treated him as such.

The Court of Appeal so held in a reserved judgment, allowing two appeals by the tenant, Oliver Ashworth (Holdings) Ltd, against the decisions of Judge Rich, QC, sitting as a Chancery Division judge on May 8 and June 25, 1998, giving judgment for the landlord, Ballard (Kent) Ltd, in respect of two summonses issued by it under Order 14A of the Rules of the Supreme Court.

The first summons posed the question whether demanding or accepting rent due before or after the expiry of the lease pursuant to a waiver of the landlord's right to demand and receive double rent pursuant to the 1737 Act.

The second summons posed questions on the true construction of the lease and the 1737 Act.

Section 18 of the 1737 Act provides:

"And whereas great inconveniences have happened and may happen to landlords whose tenants have power to determine their leases, by giving notice to quit the premises by them holden, and yet refusing to deliver up the possession when the landlord hath agreed with another tenant for the same: Be it further enacted, that in case any tenant... shall give notice of his... intention to quit the premises by him... holden, at a time mentioned in such notice, and shall not accordingly deliver up the

possession thereof at the time in the said notice contained, that then the said tenant... shall... pay to the landlord... double the rent or sum which should otherwise have been paid, to be levied, sued for, and recovered at the same times and in the same manner as the single rent or sum, before the giving of such notice, could be levied, sued for, or recovered; and such double rent or sum shall continue to be paid during all the time such tenant... shall continue in possession."

Mr Jonathan Brock, QC and Mr Philip Raine, QC for the tenant; Mr Paul Morgan, QC and Mr Nicholas Taggart for the landlord.

LORD JUSTICE ROBERT WALKER said that by a lease dated March 25, 1986 made between the landlord and the tenant's predecessors in title, commercial premises were demised for 20 years.

The lease contained a tenant's covenant, in standard form, to yield up the demised premises at the end of the term, an option for the tenant to determine the lease at the expiration of the first 10 years and six months by giving at least six months previous notice in writing prior to the determination date. A further clause required the payment of rent for 12 months after any operation of the break notice by the tenant.

By a letter dated March 5, 1996 the tenant's solicitors gave notice of the tenant's intention to determine the lease as at September 25, 1996. The notice should have specified September 24.

On September 23, the landlord's solicitors wrote to the tenant's solicitors contending that the notice was invalid and that the tenant remained bound for the full duration of the lease. They relied on the Court of Appeal decision in *Mansel Investment Co Ltd v Eagle Star Life Assurance Co Ltd* [1995] 1

WLR 1508. They stated, alternatively, that if the break notice was valid, that the tenant failed to vacate the premises, the landlord would be entitled to collect double rent under section 18 of the 1737 Act.

The tenant remained in occupation and the landlord demanded payment of a quarter's rent and subsequently issued a writ claiming arrears of rent.

The tenant sought a declaration that the lease terminated on September 24 and the landlord challenged the validity of the notice and added alternative claims, inter alia, that the tenant had wrongfully failed to give possession, was a trespasser, and was liable to pay double rent under the 1737 Act.

By an amended defence and counterclaim the tenant pleaded waiver by election of any claim under the 1737 Act.

Following the House of Lords decision in *Mansel* [1997] AC 749 the tenant obtained a declaration that the lease was determined on September 24, 1996.

The judge determined all the questions posed in the two Order 14A summonses in the landlord's favour.

Mr Brock, relying on *Doe v Chery v Batten* (1775) 1 Cowp 243 and *Dandy v Nichol* (1858) 4 CB (NS) 376, submitted that by demanding and suing for rent the landlord elected to waive the right to double rent under the 1737 Act.

Mr Morgan submitted correctly that *Doe v Chery v Batten* was decided in a different context. He further submitted that *Dandy v Nichol* had nothing to do with the 1737 Act or with the situation where a landlord, so far from having any right to forfeit a lease, unsuccessfully challenged the validity of a tenant's notice to quit.

In the situation the landlord might think that he was in a position to decide whether or not to

stand on his strict rights. But that would not be a true case of elective waiver.

Mr Morgan was right in submitting that the tenant could not succeed on the principle of elective waiver, because the present case was not a case of common law election at all.

His Lordship agreed with Lord Justice Laws on the issue of statutory construction.

LORD JUSTICE LAWS said that common law waiver, or waiver by election, proceeded upon the premise that the party said to be bound by the waiver must have possessed two or more substantive but inconsistent rights.

In such a case, his choice by overt act communicated to the other party to rely on one such right would be binding on him later claiming the benefit of another.

Here, the landlord had no such choice of substantive rights whatever. The tenant's break notice was good. Accordingly, the landlord possessed no right to treat the tenancy as continuing.

However, the question whether the landlord was entitled to double rent under section 18 of the 1737 Act turned, not on any question of waiver, but on the correct interpretation of that statute.

The first question was whether the enacting words in section 18, apart from the preamble and recital, plainly and unambiguously expressed the scope of the right to double rent.

Did they make it clear that the right arose even where the tenant held over in circumstances where the landlord himself asserted that the tenancy was continuing? His Lordship did not think that they did.

The enacting words, looked at in isolation, raised the question as to the intended scope of the right and

it followed that the court had to ascertain the true scope from the statute as a whole, read with the Landlord and Tenant Act 1731 (4 Geo 2, c 28), as being in pari materia.

That connection between the two statutes assisted Mr Brock's submission that section 18 was only dealing with the case where the landlord treated the tenant, or rather, extension, as a trespasser.

The 1731 Act addressed specifically the situation where a landlord had given notice to quit and the tenant wilfully held over. Nothing was more obvious than that the statutes were to redress the wrong to a landlord arising where his tenant continued in occupation as a trespasser, and where that was the very fact of which the landlord complained.

It was plain that section 18 of the 1737 Act was concerned with the case where the tenant held over after his own notice to quit was given.

The appeal ought to be concluded in the tenant's favour on the distinct basis that the right to double rent conferred by section 18 only arose where (a) the tenant holding over after his own notice to quit was given, and (b) the notice had to be valid, and (c) the landlord treated him as such. Any other case departed from the plain purpose of the section.

Reading the 1731 and 1737 Acts as a whole, including the latter's preamble and recitals, it was entirely plain that the legislature was concerned only to compensate landlords for the potential loss of rent arising where a tenant held over against the landlord's insistence that he should comply with his own notice to quit.

On the undisputed facts the claim for double rent lay on oath the Lord Justice Stuart-Smith agreed.

Solicitors: Rowe & Maw, Cripps Harries Hall.

Regina v Legal Aid Board, Ex parte Parsons
Before Lord Justice Beldam, Lord Justice Aldous and Lord Justice Mummery
[Judgment March 24]

The duty of a person applying for legal aid to disclose all material facts was analogous to that of an applicant for insurance, with the Legal Aid Board being invited to underwrite the risks of litigation at public expense. A decision by the board to revoke a legal aid certificate on the ground of non-disclosure should be regarded as an administrative rather than a punitive decision.

The Court of Appeal so held when dismissing an appeal by the applicant, Edmund James Parsons, against the refusal of Mr Justice Laws on November 17, 1997, to grant judicial review of a decision of the area committee of the Legal Aid Board on April 25, 1996, affirming the board's decision on March 11, 1996, to revoke a legal aid certificate granted to the applicant in connection with proposed litigation against his former employers.

That litigation was subsequently dismissed for failure to comply with procedural requirements, leaving the applicant with a bill of costs estimated at £14,000.

The ground given by the board for revoking the legal aid certificate was: "The assisted person has made an untrue statement as to his/her resources or has failed to disclose a material fact concerning them."

When completing the legal aid application form in January 1993, the applicant was asked: "Do you or your partner have any savings? By savings we mean money in things like: Banks; Building Societies; Premium Bonds; Post Office; cash at home; but not National Savings Certificates." The applicant ticked the box marked "No".

Another question was: "Do you or your partner have any life insurance or endowment policies? Do not include policies linked to your mortgage or small policies paid weekly." Again, the applicant ticked the box marked "No".

As a result of representations made by the defendant employers, the board asked the applicant to produce copies of his bank statements. Those showed that at the time he signed the application form he had £3,708.26 in his joint account at the bank.

He also had a pension policy which was cashed in February 1993, providing a lump sum of £1,792.71 and monthly pension payments of £45.66. The policy included an element of life cover providing for payment of a sum to his estate should he die before his maturity.

The board therefore considered that he had not answered the questions truthfully and issued a notice requiring him to show cause why

his certificate should not be discharged or revoked.

The board rejected his arguments that the money in his bank was not savings and the policy was not an insurance or endowment policy, and revoked his certificate.

The Civil Legal Aid (General) Regulations (SI 1999 No 339) made under section 34 of the Legal Aid Act 1988 provided by regulation 78(1) that a certificate might be revoked or discharged by an area director where the assisted person had "(a) in relation to an application for a certificate... made an untrue statement as to his financial resources or has failed to disclose any material fact concerning them... (b) intentionally failed to comply with these Regulations by not furnishing... any material information... or (c) knowingly made an untrue statement in furnishing such information."

By regulation 78(2) "no certificate shall be revoked or discharged... by reason of any such mis-statement or failure as is mentioned in paragraph (a) if the assisted person satisfies the area director that he used due care or diligence to avoid such mis-statement or failure."

Regulation 81 required notice to be served on the assisted person giving him an opportunity to show why the certificate should not be revoked, and gave him the right to appeal to the area committee, whose decision was final.

By virtue of regulation 74, the effect of revocation was to deprive the assisted person of the protection of limited liability for costs contained in section 17 of the Act and to restore to the unassisted party his rights to costs if successful.

The effect of discharge, on the other hand, was that the assisted party ceased to be assisted in proceedings to which the certificate related from the date of discharge but retained the benefits of legal aid until that date.

In seeking judicial review, the applicant claimed that revocation of the certificate, as opposed to mere discharge, was so severe and disproportionate a penalty in the circumstances that it was a decision no rational committee could have come to, and that the decision was a nullity and should be quashed.

Mr Meredith Hardy for the applicant Miss Beverley Lang for the area committee.

LORD JUSTICE BELDAM said that in light of the fact that the board was penalising the applicant was to introduce a qualification into the regulations which was liable to lead to misunderstanding of the board's functions.

The judge rightly described the relationship between an applicant for legal aid and the board as one requiring the utmost good faith on the applicant's part. The board was being asked to underwrite the costs of litigation on his behalf and

it depended on him making full disclosure of all his assets.

Regulation 78(1)(a) gave the area director power to revoke or discharge a certificate both where an untrue statement had been made as to financial resources and where there had been a failure to disclose any material fact concerning them.

It was to be noted that paragraph 11(c) expressly referred to "knowingly" making an untrue statement in furnishing material information.

The fact that regulation 78(2) placed on the assisted person the duty to satisfy the area director that he had used due care or diligence indicated that the powers exercisable by the area director were intended to be available to him where the material non-disclosure was due to a negligent as well as an intentional failure to make proper disclosure.

The position of the board was comparable to that of an insurance company induced to underwrite a risk when there had been a failure by the insured to disclose material facts which would influence the mind of the prudent underwriter in deciding whether and on what terms to underwrite the risk. Likewise, the board had to decide whether to underwrite costly litigation by the use of public funds.

In deciding what course to take, the board was entitled also to have regard to the position of the other party to the proposed litigation, the risks of litigation for whom were significantly readjusted by the grant of legal aid to the assisted party.

The other party might well be prejudiced in being unable to obtain an enforceable order for costs or one limited to the appropriate contribution.

Where, therefore, the area director received a representation from the opposite party and it led to a finding that the applicant for legal aid had failed to make full disclosure, it was inaccurate to suggest that actions taken by the board were punitive.

No doubt the board would wish to emphasise the importance of full disclosure, but its action was not a penalty imposed on the particular applicant.

Bearing in mind the different consequences of revocation and discharge, it seemed to his Lordship that if an applicant failed to make full disclosure in a material respect, the course of revocation might well be more appropriate than discharge.

While the board's categorisation of the amount which the applicant failed to disclose as a large sum might sound surprising, its knowledge and experience must be respected and its decision could not be attacked as unreasonable on ordinary public law grounds.

Lord Justice Aldous and Lord Justice Mummery agreed.

Solicitors: Blight Broad & Skinner, Cullington, Ms Denise Aldridge.

Paragon Finance plc (formerly National Home Loans Corporation) v Hare and Others
Before Mr Justice Moore-Bick
[Judgment March 17]

Where a plaintiff alleged that he had been the victim of a conspiracy to defraud, it was incumbent upon a plaintiff to plead both the primary facts on which he relied and to set out clearly how they gave rise to the inference that the defendants were parties to a conspiracy. Nor could a claim in conspiracy which was inadequately particularised be repackaged as an alternative claim which assumed the existence of the same conspiracy.

Mr Justice Moore-Bick, sitting as an additional judge of the Chancery Division, so held in a reserved judgment striking out the plaintiffs' statement of claim seeking damages for deceit, conspiracy and/or knowing receipt of the proceeds of a fraudulent beach of trust as against the second and fourth defendants, Ranga & Co, solicitors, and Mr Uday Jayasinha, a solicitor employed by alternately a partner in the second defendant firm, on the grounds that it was insuffi-

Alleging conspiracy to defraud in the pleadings

ciently particularised, embarrassing, vexatious and an abuse of the process of the court.

Mr Christopher Parker for the plaintiffs; Mr Mark Cannon for the defendants.

MR JUSTICE MOORE-BICK said that the action arose out of a series of transactions carried out in 1990 under which the plaintiffs made advances to various borrowers for the purchase of residential properties in London.

The plaintiffs claimed that the purchases were introduced to the plaintiffs by Sterling Financial and Property Services Ltd, the third defendant, pursuant to a fraudulent scheme under which Sterling arranged to buy each property at the market price and resell it to the purchasers at a much higher price. The higher price was then put forward as the price payable in a true arms' length transaction, thereby inducing the plaintiffs to lend more than was needed for the purchases.

Mr David Thompson, the fifth defendant, controlled Sterling, Ranga & Co acted for Sterling in both the original purchases and the resale in respect of 99 Wellesley Court, Maida Vale, Jane Hare, the first defendant, acted for the borrowers, and thus the plaintiffs as well, in connection with the purchase and related mortgage.

In November 1996 the plaintiff issued proceedings against Ranga & Co, Sterling and D. B. Thakker & Co, solicitors, but not against the individuals concerned, alleging that Thakker and Ranga had conspired to defraud mortgage lenders generally.

In early 1997 the plaintiffs became aware of certain features relating to the loan relating to 99 Wellesley Court which caused the plaintiffs to issue the present proceedings.

On July 27, 1998 Mr Justice Carnwath struck out, apparently with some reluctance, the plaintiffs' claim in the first action on the basis that the particulars of fraud were insufficiently pleaded: see *Cannock Chase District Council v Kelly* (1997) 1 WLR 1.

On July 31, Mr Justice Carnwath refused the plaintiffs leave to amend. An application to the Court of Appeal was also unsuccessful.

The statement of claim in the present proceedings, closely following the draft amended statement of claim rejected on July 31, Common sense required that par-

ties which were inadequate in the previous action would be inadequate to support the same allegation in this action unless the statement of claim in this action contained some additional particulars which would be difficult to carry out such a fraud without the cooperation of the applicant's solicitors whose lender's standing instructions expressly required the disclosure of sub-sales, could be distinguished on the basis that Ranga had not acted for the borrowers.

It was not enough to allege that Ranga knew that Hare and/or Thakker were obliged to report any sub-sale and would not do so. In a case of this kind it was incumbent upon a plaintiff to plead both the primary facts on which he relied and to set out clearly how they gave rise to the inference that the defendants were parties to a conspiracy.

Alternatively, the plaintiffs

claimed the funds they received from the advance in respect of 99 Wellesley Court as the proceeds of a breach of trust on the part of the first defendant.

That was on the basis that Ranga had acted as Sterling's solicitors in the relevant transactions which the defendant Thakker and Hare would not inform the plaintiffs of the sub-sales, and had therefore submitted false reports on title in order to obtain the advances.

While that claim did not depend upon a conspiracy to which Ranga was a party, it nevertheless depended upon substantially the same facts and involved an allegation of fraud. If the claim in conspiracy could not survive because it had not been adequately particularised, neither could an alternative claim which assumed the existence of the same conspiracy.

Solicitors: Hamlin Stowe; Reynolds Porter Chamberlain.

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False imprisonment claim by prisoner

Toumias v Evans
Before Lord Justice Brooke and Lord Justice Clarke
[Judgment March 12]

It was at least arguable that a prisoner serving a life sentence for murder whose cell was not unlocked in accordance with the usual routine as a result of industrial action by prison officers had a claim for false imprisonment and misfeasance in public office.

The Court of Appeal so held in allowing an appeal by the plaintiff, Faith Toumias, against the dismissal by Judge Coombe in March 13, 1998 of County Court on March 30, 1998 of her appeal against the striking out by Deputy District Judge Elsey on July 7, 1997 of his claim against the defendant, David Evans, the secretary general of the Prison Officers' Association, as being frivolous and disclosing no reasonable cause of action and an abuse of process.

Mr Richard Hermer, assigned by the Bar Pro Bono Unit, for Mr Toumias; Mr Jonathan Clarke for the defendant.

LORD JUSTICE BROOKE, delivering the judgment of the court, said that the plaintiff's claim arose out of an incident on March 3, 1997 at Whitemoor Prison, where he was serving a life sentence for murder. He and the other prisoners were locked in their cells in the normal way on the evening of March 2.

Staff at the prison were aggrieved by a new instruction relating to body searches of staff. At about 7.30am on March 3, members of the Whitemoor branch of the POA held a meeting at the prison in order to discuss the grievance. The governor authorised the meeting which went on for longer than was originally sanctioned.

During the course of the morning the governor issued two prison information notices to the effect that a number of prison officers had refused to take on unlock duties and that controlled feeding of the dinner meal was required to enable the prison to be formalised to return the prison to a normal routine as possible.

The plaintiff complained that he was locked in his cell without food for the whole morning and issued proceedings for damages for losses due to illegal union action. The plaintiff was acting in false imprisonment and false imprisonment did not claim for false imprisonment.

The deputy district judge concluded that prison officers did not owe prisoners a duty of care of the kind alleged, and on appeal no longer being alleged.

However, the union's solicitor very properly drew other possibilities to the plaintiff's attention, including false imprisonment and misfeasance in public office.

As to the former, the deputy district judge held that the plaintiff was a prisoner serving his sentence and was properly confined to his cell and that his continued confinement was approved by the governor.

As to the latter, he said that he could not see that the officers could be guilty because a memorandum of May 6 showed that they had acted at all times under a proper order of the governor, or with his permission. He therefore directed that the actions should be struck out.

The plaintiff's appeal came before Judge Coombe. The judge did not communicate with the parties or tell them that he was thinking of determining the plaintiff's appeal without a hearing. On March 30 he made an order of his own motion dismissing the appeal.

Mr Hermer submitted that the judge was wrong to decide the appeal without giving the plaintiff the opportunity of being present and heard, or at least without giving him the opportunity of making representations.

By Order 13, rule 1(10) of the County Court Rules (SI 1981 No 1067 L20) an appeal lay from a district judge to a circuit judge as of right and "shall be disposed of in chambers unless the judge otherwise directs".

It was not clear why Judge

Coombe thought he had the power to dispose of the plaintiff's appeal without a hearing. Mr Clarke submitted that the parties had even notifying the parties that he was minded to do so.

It was just arguable that the rules did not expressly provide that an appellant had a right to an oral hearing and that a court had an inherent right to protect its process from abuse.

However, even if a judge was entitled to strike out an appeal temporarily as an abuse of the court's process, it was unquestionably his duty to ensure that both parties had notice of that intention, so that they could make such submissions as they considered appropriate before any order was made.

False imprisonment
As long as a prisoner was detained with the authority of the governor of the relevant prison he was lawfully detained. Mr Clarke submitted that that was the case here.

Mr Hermer submitted that a prisoner officer who confined a prisoner in his cell in defiance of authority of the governor committed the tort of false imprisonment.

In their Lordships' judgment, it was at least arguable that a prison officer who deliberately locked a prisoner in his cell, contrary to the orders of the governor, would be guilty of false imprisonment.

The plaintiff's allegation was that after their meeting, the prison officers on his wing, acting expressly or impliedly with the authority of their trade union, refused to carry out their normal working duties and thus refused to open his cell door.

In their Lordships' judgment, the case was arguable and the allegation of false imprisonment

should not be struck out on the basis that it was not arguable or alternatively, that it was not arguable that the plaintiff should be permitted to advance his case if he thought he could establish it at trial.

Misfeasance in public office
The essence of the tort of misfeasance in public office is the deliberate and dishonest abuse of power. It was alleged that as a result of a decision taken at a POA meeting, the prison officers acted in bad faith and thus dishonestly by deliberately subjecting the plaintiff to a restraint, namely being locked in his cell, for which they knew they had no authority.

There were two problems: the first was that this newly emerging tort was concerned with misfeasance and not non-feasance. However, it would be wrong to strike out the pleading on that ground since to do so might be to stultify the development of the law.

The other problem was potentially more formidable. The particulars did not make it very clear how it was said that the POA, rather than individual officers, was liable for misfeasance in public office.

Given that Mr Clarke did not submit that if the plaintiff had an arguable case against a prison officer he did not have an arguable case against the POA, their Lordships assumed that he accepted that if there was an arguable case against the prison officers there was also an arguable case against the POA.

It was their Lordships' view that that was correct on the basis that it was being said that the POA encouraged the commission of the tort.

Solicitors: Lees Lloyd Whitley.

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Women caught up in statistical maelstrom

Crystal ball-gazing has always been a high-risk sport. Nearly 20 years ago a book was published very much in tune with the feminist spirit of the age, entitled *Catching Up The Men*. It put forward the thesis that standards in women's sport were improving so rapidly that it was only a matter of time before the records set by men would be matched or bettered by women.

The predictions were engagingly specific. The author, Dr K. F. Dyer, a social biologist from Adelaide, used graphs, statistics and complex formulas to put a stopwatch on the future. By 1995, he asserted, the women's record would have caught up with the men's in the 1,500 metres. By 2000 both records would stand at 3min 22.2sec. Women would match men in the 3,000 metres in 1996, Dyer said, and in the marathon in 1988. Both men and women would be covering the marathon in 2hr 05min by 2000. It did not happen. The record for men in the 1,500 metres is 3:26.00, for women 3:50.46. The men's marathon is tantalisingly close to Dyer's prediction at 2:06:05, while the women's record stands at 2:20:47.

Dyer gazed farther into the future, saying that women would triumph in the 400 metres by 2029, the 800 metres by 2039 and the 100 metres by 2071. Those won't happen either. Dyer simply got carried away by his own political correctness and a near criminal misuse of statistics.

This week another academic has been at the same pointless game. Ellis Cashmore, Professor of Humanities and Social Sciences at Staffordshire University, suggests that the only reason women do not match men in just about all sports is because they were brainwashed by 19th-century medical myths into believing that they are the weaker sex.

"If we could turn the clock back 120 years and these myths did not exist, then men and women today would be competing at comparable levels," he said in the *British Journal of Sports Medicine*.

Such views may be entertaining, but are little more than a load of crystal balls. It is certainly true that the Victorians had a view of women as passive and vulnerable that kept them out of sport. Pierre de Coubertin, father of the modern Olympics, was a cruel critic of sportswomen. "Women," he said, "have but one task, that of the role of crown-



ing the victor with garlands." He forced them out of his Games for as long as possible.

Naturally, after such a hampered start, the statistics of women's improvement are impressive. One man who knows how impressive is Stan Greenberg, the sports statistician. He gets furious at what he sees as statistical abuse in sport. "How many more times must we endure this so-called scientific nonsense that sportswomen will catch up and surpass men in the new millennium?" he asks. "All the data and graphs that are trotted out to 'prove' the theory are totally flawed."

In most sports, particularly athletics, women have been competing in depth only since the 1930s. The men

have been doing it for at least double that time, so their graph shows a much more gradual rate of improvement.

"Women have been able to take advantage from the beginning of modern training techniques, diet regimes, improved technology and sports science. So in an event like the pole vault, which the women have taken up only recently, they are making marvellous progress using the latest poles and techniques."

"Women do have obvious advantages in stamina-based events, particularly swimming," Greenberg said, "but even there the base data is flawed. True, a woman holds the three-way Channel record, but it is an event not attempted often enough to prove anything."

In the marathon it is always noted that the female record was 3hr 40min in 1960. It had been that since 1926 simply because women were not allowed to run the distance until the 1970s. Not surprisingly they made tremendous advances, but any graph constructed prior to there being major participation is ludicrous," Greenberg emphasises that he does not wish to denigrate women's performances, "rather to applaud the wonderful standards they have achieved." He added: "When they

fail — and they will — to meet these pseudo-scientific goals they will be decried by the same people who saddled them with these impossible targets."

There have always been sportswomen who yearn to take on men at their own game. My own favourite is Hattie Donahue. Her finest hour came in 1992. John L. Sullivan, the Irish-American boxer, was undisputed world heavyweight champion. To make money he would tour theatres offering to fight anyone. Hattie was the wife of a man who ran a boxing academy and as part of the show she would clamber into the ring in boxing gloves, skirt, stockings and bloomers to challenge the champion.

One night Sullivan, failing to pull his punch, smacked Hattie in the face. Furious, she lashed out with a right to the jaw that knocked him out for the first time in his career. Later that year Sullivan lost his title to "Gentleman Jim" Corbett when he was laid out in round 21. But a woman had got there first, so, who knows, we might yet see some 21st-century Hattie hailed as undisputed world heavyweight champion. But I wouldn't bet on it.

JOHN BRYANT

'Theory is totally flawed'

'They have been set false goals'



Sullivan met his match in an angry woman

GOLF

Duval takes heavy schedule in his stride

FROM JOHN HOPKINS, GOLF CORRESPONDENT IN ATLANTA

THERE are two ways of regarding a tournament that falls in the week before a major championship. The first is that it provides a player with the last chance to fine-tune his game, to put in the performances under the pressure exerted by his peers that cannot be repeated on the practice ground. The second is that it is a good week to rest and practise the type of shots that will be needed during that major.

The field for the BellSouth Classic, starting today at the Tournament Players Club at Sugarloaf, in the suburb of Duluth here, bears witness to both these theories. David Duval, the best golfer in the world at present and at the peak of his form after his victory

Duval, though, has a strong mind. At least, he gives the impression of having a strong mind, and no strong-minded person would say that they would rather finish fifth one week if it meant winning the major championship the next. "I think it would be wonderful to win here," Duval said yesterday, after the pro-am, which was played in occasional light showers and a temperature perhaps 30F cooler than it had been when he won in Jacksonville on Sunday.

"Any time you win, it helps the next time, builds your confidence. Obviously the more you do it, the more often you are going to do it the same way. Put that one down in the library for the future."

Davis Love III, Fred Couples, Colin Montgomerie, Nick Faldo, Gabriel Hjertstedt, the Swede who is having such a good year in the United States, and José María Olazábal are all competing here. But Woods announced as long ago as last year that he would not be defending his title at this event, while Lee Westwood and Darren Clarke have chosen to tune up for the Masters elsewhere.

Montgomerie took his first look at the 7,259-yard course and pronounced it to be tough. "It is a very long walk," Montgomerie said. "I like the quick, sloping greens. Whoever wins here will have to play very good golf. Look at how Tiger won last year. He was 17 under par. You cannot afford mistakes. It is very difficult."

Faldo, once No 1 in the world, is now 97th. But the case of Chip Beck makes Faldo's fall quite gradual by comparison. Beck, like Duval, scored a 59, was second in the US money-list in 1988 and was a member of three Ryder Cup teams, the last in 1993.

Since then, he has gone for months on end without reaching the last two rounds of an event — 47 in a row. In 1997 and 1998, he entered 61 tournaments and made the cut in five of them. That really is a slump.



Duval: peak form

ry in the Players Championship on Sunday, is among those competing at this course, designed by Greg Norman and opened three years ago.

Duval is now fairly and squarely in the glare of publicity that for some time shone so powerfully on Tiger Woods. His success in the past six months, including that remarkable round of 59 last January, have taken some of the pressure off Woods. Winning on Sunday may have done his career a power of good, but were he to win here, too, it is a moot point whether that would be the best preparation for the Masters because of all the pressure involved. Besides, the chances of winning three events in succession are slim.

Teenager's career going downhill

By this time of year, most Britons are happy to have their sporting thoughts warmed by the promise of spring. Chemistry Alcott is different. After skiing her way to bronze and silver medals at the European Youth Olympics in Slovakia earlier this month, the teenager from Twickenham can be forgiven for wanting the icy slopes to roll on and on.

This weekend, in the French resort of Tignes, she will race one of the last big events of the season when she defends her titles in the British Land junior ski championships. Ten other nations, all with a more established skiing culture, will also compete. In the senior equivalent in January, Alcott confirmed her budding reputation — within the ski fraternity, at least — by winning the slalom and finishing second in the downhill.

"At home I can walk down the street with a British ski-team jacket on and people will come up to me to say they didn't know there was a British ski team," Alcott said. "If I asked them what their definition of our Olympic or alpine world would be, they'd say, 'Eddie The Eagle', and that irritates me no end."

Articulate and confident, there is scant trace of a gauche 16-year-old in this Surbiton High School pupil, who has been winning ski races since she was three.

Except, perhaps, when she lowers her eyes to pick at her purple nail polish.

Otherwise, Alcott is vigorous and brimming with ambition. Her string of sporting and academic accomplishments show an exceptional talent. "People come up and ask if I feel like a child prodigy," she said. "I say, 'No, Mozart was a child prodigy.' Adults in high places are aware of the talent."

"Chemmy is on track to become a top-class skier and, with the right support, she will be a serious medal contender at the 2002 Olympics," Graham Bell, once a contender himself and now national performance director of the British Ski and Snowboard Federation, said.

Support is not as yet forthcoming from National Lottery funding. Scottish skiers, such as Emma Carrick-Anderson, are entitled to a slice of the cake, whereas English hopefuls are left to go hungry. "It's really annoying," Alcott said. "Skiing here is ranked as a class C sport or something,

SARAH POTTER



but we're trying to change that."

The bulk of the financial burden lies with Alcott's parents, Eve and Tim. According to them, it costs the family £25,000 a year to get their daughter around Europe. Their two sons, Alex and Rufus, were also once members of the England alpine squad. "It would be great to be sponsored by British Airways," Alcott said, "because it's the travelling that's the most expensive thing."

Winning the junior *Sunday Times* sportsman-of-the-year award and appearing on *Blue Peter* persuaded the Army to help. "They sponsor our school ski team and they bought me a laptop," she said.

"Now, wherever I am, I can e-mail my homework back. It was only a problem when I was staying in a very poor area of Slovakia and they didn't have a fax in the whole town."

Alcott's GCSE exam results prove that the arrangement has not been a hindrance. Ten of her 11 passes were grade A, five of which were A*.

Despite missing half of this school year, Alcott is now studying A levels in English, French, mathematics and business studies. "School have said I can do them in three years, but I'd rather get them out of the way," she said. "No one else in the British team stayed on at school, but I know if I got a bad injury I would only have to come back and do them later. This way I get all my educational foundation."

Alcott's love of speed means that there have been plenty of spills. Her injury list of broken bones is not for the faint-hearted. As a nine-year-old she came close to paralysis in her right arm and, two



Alcott shows the style that could help her to become a medal-winner at the 2002 Olympics

years ago, she was lifted off a French mountain with a suspected broken neck.

"That was scary," she said. "Nothing has ever frightened me enough to make me think I wouldn't want to race, but in the helicopter I did think that might be it. Injuries are common in every sport, it's just that in skiing they seem to be bigger."

Now, though, her goggles are determinedly trained on the Olympics. "The prize-giving in Slovakia was great because it was like the real thing," she said. "They had the torch and the flowers and everybody had to turn around and take their hats off. I want to give myself ten years in the sport but I don't want to put any pressure on myself. I want to have fun and I want to succeed. You can't do that if you don't enjoy what you're doing."



A sponsored laptop helps to keep homework up to date

'The right support will make her an Olympic contender'

Goss prepares to let cat out of the bag

"REALLY go for it, Andy," Pete Goss shouted from the dry platform below the mast, 20ft out to "port" of the blue Land Rover Defender TD5. Andy Batley, a boat builder, put his foot down and the 13ft model of the *Goss Challenger* rig, was off down the huge runway at the Royal Marines airfield at Chivenor, north Devon.

As the mini-rig made its way down the Tarmac, Goss altered settings on the sails, while in the Land Rover, Steve Grove and Tim Searle, from the mechanical and marine engineering department at Plymouth University, collated

the basis of the latest "open day" yesterday arranged by Goss and his team, who are building what will be the biggest racing catamaran in history and one of the most technologically-advanced yachts attempted in Britain.

The 120ft-long Adrian Thompson-designed "cat" is coming to life in a large shed at Totnes in south Devon. But Goss and his colleagues have spent the past week as guests

130ft carbon masts that will tower above the massive multi-hull. "This shows how far we have come in four years," Goss said.

He is planning to set a new round-the-world non-stop record in the boat shortly after it is launched in January and then take part in The Race, the unlimited non-stop round-the-world dash being organised by Bruno Peyron, beginning in December next year.

Noble, and they are hoping to begin building the full-scale structures in six weeks' time. Despite not yet having a title sponsor, the building is on schedule as Goss already has half of his £4 million budget, with principal backing from BT, Sun Microsystems and Muto.

Goss remains confident that his boat will be competitive against the four or five other so-called "maxi-catamarans" being built for The Race. Steve Fossett's *PlayStation*, which is approximately 15ft shorter than *Goss Challenger*, is the first to hit the water and has already set a new 24-hour

Potters Bar facing league expulsion

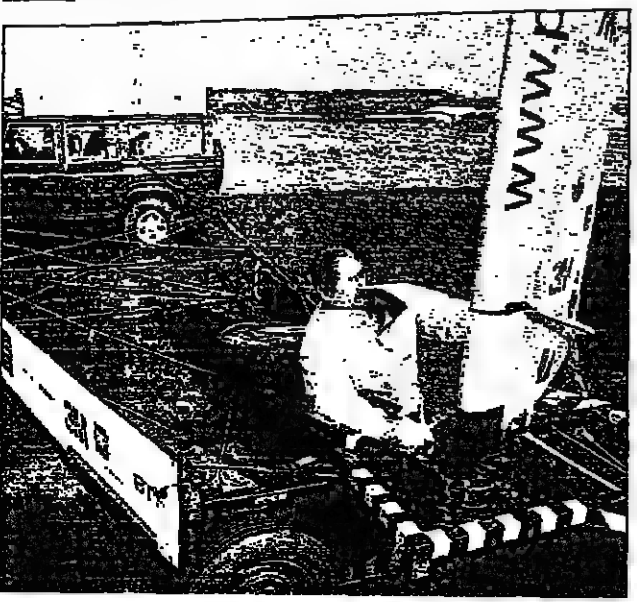
POTTERS Bar face expulsion from the National League after they failed to field a team in Nottingham for the first leg of the semi-finals (Colin McQuillan writes).

The Capital One Nottingham management had to cancel local television coverage and arrange refunds for a 200-strong sell-out crowd after Tochi Bhat, the Potters Bar team manager, told them that he could not field a team because of his leading

for ankle problems and Sue Wright, the England No 2, is confined to bed with a chest infection.

Potters Bar lost a leading sponsor in Mitsubishi Electric this season, but have still fought their way through to the semi-finals. The Squash Rackets Association is considering disciplinary action that will almost certainly give Nottingham a walkover to the second leg and lead to the exclusion of the Hertfordshire

SQUASH



RUGBY UNION

England duties cost Mitchell his job at Sale

By DAVID HANDS, RUGBY CORRESPONDENT

JOHN MITCHELL, England's assistant coach, parted company yesterday with Sale after a month of speculation over his ability to continue as the club's head coach. A club statement, one of mutual appreciation, said that he had resigned but, in fact, Mitchell had been at odds for too long with his squad and had spent too much time away on England duty.

The explanation for the departure of the New Zealander was the first duty to be performed by Graham Walker, Sale's new chief executive. He spoke to the playing squad who, in recent weeks, have grown progressively more disenchanted by Mitchell's management skills up to the point where they effectively agreed a vote of no confidence.

Adrian Hadley, the former Wales wing, and team manager in the last two seasons, becomes head of rugby, responsible to Walker, and within the next few days Sale will decide the shape of their coaching structure for the rest of this season. Jim Mallinder, club captain and full back, has been coaching the development team while Graham Dawe, the former Efrog hooker, has helped with the forwards. The players' stance was encouraged by the knowledge that Mitchell, apart from the four weeks away with England prior to Five Nations Championship matches this year — and associated training weekends — will also spend a month with the national side in Queensland this summer, followed by World Cup preparations and the tournament itself, which would effectively remove him from the club orbit for the first ten weeks of next season.

His England arrangements are not affected by the rupture

with Sale, though it does indicate the problems of being a full-time club employee and a part-time national coach. The same situation, albeit with England's A team, was true of Richard Hill before he was sacked by Gloucester.

Clive Woodward, the England coach, said: "I can confirm that John Mitchell informed me of his decision to resign. This does not affect his position as assistant coach of England. I look forward to continuing what has been a productive relationship."

Mitchell, 35, who was in the second year of a five-year contract with Sale, believed to be worth around £90,000 a year, joined the club in 1996 as player-coach. He came with the reputation of a forceful No 8 and captain of Waikato who toured with the All Blacks but never appeared in an international. His terms of reference changed almost upon arrival since he was due to coach the forwards under the direction of Paul Turner, who then left for Bedford.

It is significant that Sale's greatest achievements under



Mitchell: club role ended

Mitchell came in the cup rather than the league. They were beaten finalists in 1997 and semi-finalists last season, confirming a reputation for shocking more fancied opponents rather than one of consistency. But at their best they played exciting, adventurous rugby.

This season, Sale stand eleventh in the first division, hovering just above the relegation play-off zone, a situation of concern for the club directors who felt they needed a coach permanently available to them.

In his England persona, Mitchell may draw comfort from the remarks of Graham Henry, his countryman who coaches Wales and now seeks to build on wins over France and Italy by beating England on April 11 at Wembley. "England are the best team on this side of the world by a considerable margin," Henry said in Cardiff yesterday. "We are an average side who have won a couple on the trot and have been studied by Ireland and Scotland."

"England are very well organised with a very experienced pack of forwards, perhaps the best pack in the world. Some people believe they are boring but they play the game correctly, they take field positions, they kick penalties. They would like to score a few more tries but they are a good rugby side. If you want me to criticise the English, you are wasting your time."

France, meanwhile, have made four changes in their squad to play Scotland on April 10 in Paris. Christian Labit and Yann Delagade, flanker and fly half respectively for Toulouse, make their first appearances of this season in the championship, and are joined by two forwards relegated to the A side last month, Thierry Cleda and Marc Dal Maso.

Evans will take wing no more

David Hands pays tribute to a player who encapsulated the true spirit of Welsh rugby

When we remember Ieuan Evans, we will think not of the bludgeoning power so typical of the modern game, but of the dancer, a player so light on his feet that he could make most opponents seem like plodding policemen. We will also recall the indomitable spirit that made light of so many injuries and gave heart to a nation which, earlier this decade, seemed weighed in the depression of defeat.

Evans, the most-capped Wales player with 72 appearances, confirmed his retirement yesterday, two months ahead of schedule. He had hoped to leave the game he has graced for 16 years trailing clouds of glory but a stress fracture of the foot has drastically inhibited the second year of his contract with Bath which has now been terminated by mutual agreement.

"It will take some time to get used to the fact that I have retired," Evans, 35, said. "I'll take a few months to look at other avenues but, for the first time, my future has nothing to do with rugby." He might have known that injury would have the final say. Had it not been for a succession of dislocated shoulders, a broken leg and an ankle dislocated so badly that, at the time, his career seemed over, Evans would surely have ended much nearer a century of international appearances.

His last was against Italy in January last year; his first, against France, was 11 years earlier and in between he attracted every honour the game had to offer — the captaincy, on 28 occasions, of his country, appearances in three World Cups, three British Isles tours, league and cup honours with Llanelli and a



Evans, who was a shining light in Welsh rugby's darkest days, in full flight for his country against Scotland

European Cup winner's medal with Bath just over a year ago. But Evans was more than just an achiever: he was at once a symbol of hope for a rugby-mad nation and above all an upholder of that nation's traditions. As Graham Henry has been reminding the Welsh public this season, the glory of the red jerseys is to run with the ball; the lethal dart, the dramatic sidestep, the clever player who sees the game as a form of self-expression.

Evans had these gifts in abundance. He was blessed with natural pace but he could sidestep, he could swerve and he could defend — indeed history records, with some sadness, just how much defending was done by some of the Wales teams in which Evans played. That he should have scored 33 tries for his country at a time when the national game was at so low an ebb is testament

to his quality. Many will recall him stepping with such panache past four Scotland defenders who seemed turned to stone at the old Arms Park; roaring into a grub-kick by Emyr Lewis as



Rory Underwood seemed lost in thought, to score the try that beat England; swerving his way through a handful of opponents to inspire a remarkable comeback by the Lions against the New Zea-

land Maoris at Wellington in 1993.

There was an innate Welshness in the way he played the game but he also developed a captivating manner off the field. There were few triumphs of which to boast during Evans's tenure as captain but he drew listeners to his side with a modesty and a gift for diplomacy which now, in a professional era, seem even more admirable than they were then.

And there was the walk. When Evans scored a try, he would walk back to halfway with a little bounce, a strut which seemed half embarrassment, half pride. Above all it seemed to sum up the pleasure he took from playing, to be in the red jerseys of Llanelli, Wales and the Lions, or the blue, black and white of Bath. Indeed, he painted so many colours that rugby's canvas will seem more palid without him.

THE EVANS YEARS

1984: Born March 21 in Pontardulais.
1986: Joined Llanelli from Carmarthen Quins.
1989: Scored six tries for Wales in their 10-9 victory over Spain.
1987: Made junior Wales debut against France in Five Nations Championship.
1989: Played throughout World Cup campaign, scoring four tries during 40-9 rout of Canada. Helped his country to third overall.
1989: Selected for the British Isles tour of Australia, playing in all three internationals as Lions clinched 2-1 series victory, scoring decisive try in third game.
1992: Scored famous winning try against England in Cardiff in a season when Llanelli won league and cup double. Went on to be ever-present in Lions' 2-1 series defeat against New Zealand.
1994: Enjoyed his most successful season as national captain, leading Wales to the Five Nations Championship. Led country for record nineteenth time against Portugal.
1997: Extended Wales try record to 33. Joined Bath from Llanelli for £75,000.
1998: Helped Bath to win Heineken Cup against Ulster in Bordeaux. Returned to Wales squad, winning his 72nd — and last — cap against Italy.

Wales underline youthful promise

By DAVID HANDS

THE old order changes in youth rugby, too. France and Argentina, who used to dominate the FIRA youth tournament, have been elbowed aside for the semi-finals in Bridgend tonight of what is now the IRB/FIRA world youth tournament. Wales and Ireland uphold northern-hemisphere dignity against South Africa and New Zealand.

This has been an exceptional season at youth and under-21 level for Wales who reached the last four the hard way — by beating an under-prepared England and then disposing of Argentina, the 1997 winners who were placed third in the world last season. "We have played some tremendous rugby but there is more to come," John Bevan, the Wales coach, said. "We must take all the chances we create."

If they are to reach the final on Sunday, however, they must dispose of a South Africa team built around a very physical pack. The greater task, however, faces Ireland, who won the world tournament last year in France. They meet a New Zealand team that, some seasoned observers have claimed, would not look amiss

in Welsh premier-league rugby.

The New Zealanders have scored 137 points in two games, including 21 tries. Ireland, traditionally strong in junior representative rugby, cruised past Georgia in defence of their title, but then had Jeremy Stanton, their fly half, to thank for 14 points in the 24-15 win over Italy.

Craig Quinnett will make a rare appearance at flanker for Richmond in their Telford's Bitter Cup semi-final against Newcastle on Saturday after a knee injury to the England A flanker, Adam Vander. Quinnett rested a dead leg as Richmond trained yesterday, but both he and John Kingston, the Richmond manager, have no doubts about his fitness.

Kingston said: "Craig has played only a handful of matches for us at flanker but he started his Test career there for Wales. We have not needed to exploit his versatility by playing him in the back row until now. We have used him as a lock in around 50 of his matches in the three years he has been with us." Andy Sheridan, 19, will take over at lock.

A nation acclaims fitting stage

There is a constant hum in the centre of Cardiff that acts as a background to the noise of the traffic and the bustle of shoppers. It is the sound emanating from the Millennium Stadium rising from the ashes of the old Arms Park to the same way that those given charge of rugby in Wales hope that the national sport is rising from the dust of defeat.

It is an impressive sight — and site. The entrails of the new 72,500-seat stadium may still be hanging out, but every day sees progress. Later this month, the workforce will be nearly doubled, to 1,100 working around the clock for the next three months, to ensure that by June 26, there is a stadium capable of hosting an international occasion and, three months later, the 1999 World Cup.

Those in charge of the £120 million project speak with Messianic fervour of their conviction that all will be ready in time. Glanmor Griffiths, the chairman of the Welsh Rugby Union, who welcomed to the stadium yesterday a third big sponsorship, worth £2 million, from Bass Brewers, says that the dates for the opening game, against South Africa in June, against

Canada and France in August and the opening match of the World Cup against Argentina in October are not areas of debate — they are set in stone.

The stone, you might say, or rather the pre-cast steel of the new stadium. Amid much talk of primary and tertiary trusses, of concrete stepping and seats by the thousand — even our old friends, corporate hospitality boxes (125 of them) — Todd Staley talks of the finest stadium in Europe, which will remain so for a decade. Staley, the senior project manager, had charge of the Olympic Stadium in Atlanta



The stadium is taking shape in the heart of Cardiff

before the 1996 Games, where doubt was cast on the ability to complete in time, and he delivered.

"This is a tough site, because of the city centre, the proximity of the river, the amount of demolition," Staley said, "but the commitment is 100 per cent. I don't know any other stadium in the world that will have the sight lines, the retractable roof and the flexibility of this one. You'll have a feeling of closeness to the game, you'll be on top of the game."

Graham Henry, the Wales

coach, whose players will have a view directly on to the playing area as they enter the ground on the east side, believes it will be the best rugby stadium in the world: "I find it mind-boggling what the people who made the decision to build it have done, in the heart of the city," he said. "It showed great intestinal fortitude."

The tight area has forced John Laing, the contractor, to work up rather than out and spectators in the ringside seats at ground level will be no more than six metres from the playing surface. That, too, is a design that Staley equates with the Giants Stadium in New Jersey, based on a patchwork of grass "pallets" that can be taken up and moved around at will and which, once laid, permit a match to be played a week later.

If the problems of Welsh rugby could be so mobile, how wonderful that would be. The Welsh Rugby Union committee meets tonight, insisting that times levied on Cardiff and Swansea, the rebel clubs, must be paid; union representatives meet the two clubs next week in an attempt to find a face-saving formula that can build on the European agreement reached in Paris last weekend.

FOR THE RECORD

BASKETBALL

Budweiser League: Chester Jets 101, Dewey Storm 92.

National Association (NBA): Miami Heat 93, Charlotte 99; Boston 100, Cleveland 91; Toronto 101, Orlando 100; New York 91, Minnesota 99; Dallas 78, New Orleans 91; Indiana 91, Philadelphia 91; Milwaukee 107, Washington 101; San Antonio 95, Seattle 87; Vancouver 101, Denver 87; Golden State 93, Portland 90; Los Angeles Clippers 85, Houston 104; Sacramento 104, Utah 101 (OT).

Eastern Conference

W	L	Pct	GB
Orlando	22	9	710
Miami	19	9	679
New York	17	14	548
Philadelphia	15	17	517
Washington	12	17	414
Boston	17	19	357
New Jersey	5	24	172

Central division

W	L	Pct	GB
Indiana	20	10	667
Atlanta	12	12	613
Dallas	19	12	600
Milwaukee	17	12	596
Utah	12	13	567
Cleveland	14	14	500
Charlotte	12	16	429
Chicago	9	21	300

Western Conference

W	L	Pct	GB
Utah	27	6	724
Los Angeles	22	9	710
San Antonio	20	10	667
Minnesota	17	12	596
Dallas	10	22	513
Denver	8	23	429
Vancouver	6	25	300

Pacific division

W	L	Pct	GB
Porland	23	6	733
LA Lakers	21	11	687
Seattle	18	14	617
Phoenix	14	18	487

CRICKET

Third Test match

West Indies v Australia

KENNINGTON Oval, first day of five West Indies beat Australia by one wicket.

AUSTRALIA: First Innings 490 (S R Waugh 189, R T Ponting 104, J Langer 61). Second Innings 146 (C A Walsh 51 for 39).

WEST INDIES: First Innings 329 (SL Campbell 105, R D Jacobs 98).

1st D. Jacobs bowled by McGrath 5-11-20-38, 7-34-8-34, 9-30-2.

BOWLING: McGrath 41-10-5-5, Gillespie 21-10-5-3, Warner 24-4-0-0, MacGill 21-10-1-1, S R Waugh 6-0-1-0.

Umpires: E A Nicholson (West Indies) and D L Orchard (South Africa).

ICE HOCKEY

NATIONAL LEAGUE (NHL): Boston 1, Los Angeles 2 (OT), Washington 2, Nashville 3.

Philadelphia 3, Carolina 3, Pittsburgh 4, Dallas 6, Edmonton 4, Phoenix 7, Colorado 3, Calgary 2.

RUGBY UNION

FRANCE SQUAD vs Scotland, April 10.

Backs: Y Delagade (Toulouse), P Carbonneau (Bordeaux), T Castaigne (Toulouse), F Combe (Stade Francaise), C Despland (Stade Francaise), X Garbano (Toulouse), P Giordani (Dax), C Lussignea (Stade Francaise), T Lombard (Stade Francaise), N Munnings (Toulouse), F Penne (Stade Francaise), T Lombard (Stade Francaise), C Castano (Toulouse), Y Cleda (Paris), R Caste (Bordeaux), M Dalmasso (Colomiers), R Bousquet (Perpignan), C Despland (Stade Francaise), T Lombard (Stade Francaise), C Lussignea (Stade Francaise), P Penne (Stade Francaise), F Penne (Stade Francaise), T Lombard (Stade Francaise), C Castano (Toulouse), Y Cleda (Paris), R Caste (Bordeaux), M Dalmasso (Colomiers), R Bousquet (Perpignan), C Despland (Stade Francaise), T Lombard (Stade Francaise), C Lussignea (Stade Francaise), P Penne (Stade Francaise), F Penne (Stade Francaise), T Lombard (Stade Francaise), C Castano (Toulouse), Y Cleda (Paris), R Caste (Bordeaux), M Dalmasso (Colomiers), R Bousquet (Perpignan), C Despland (Stade 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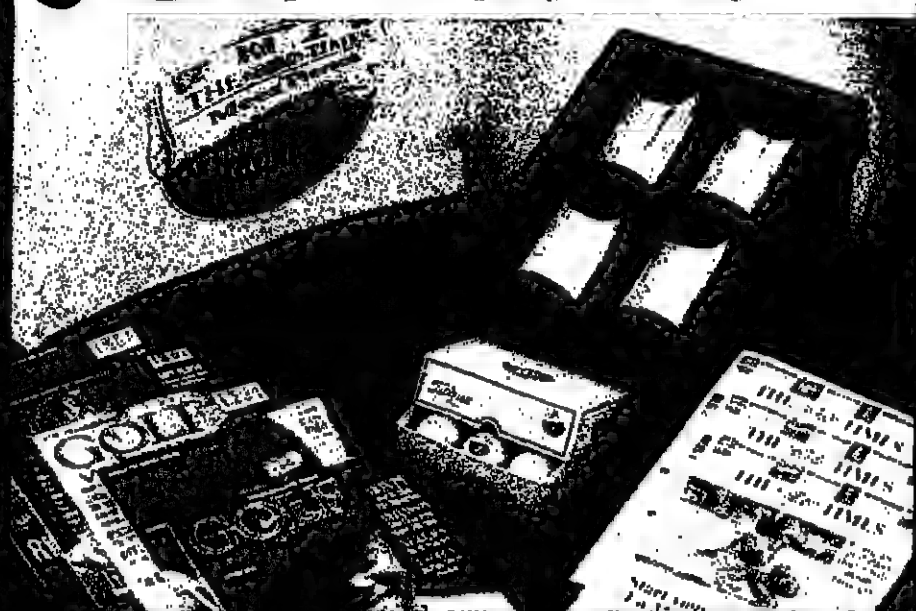
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ROWING: VETERAN BOAT RACE CREWS HIT TROUBLE ON THE TIDEWAY

Old Blues test the umpire's patience to limit

By Mike Rosewell
ROWING CORRESPONDENT

IT WAS "don't do what we do, do what we say," on the Tideway yesterday as the fourth Oxford and Cambridge Veteran Boat Race took place from Putney to Hammersmith.

Statements made earlier in the week by elder statesmen, that coxswains should work with the umpire rather than test him, were largely ignored and the former international, Rupert Obholzer, the man in charge, was given more trouble than he will hope to get when he umpires the Isis-Goldie reserve race on Saturday.

The rules require the veteran crews, mainly old Blues, to be aged over 35 and with a required average of at least 42, two of the oldest yesterday being Matt Stallard, 57, whose son is in the present Cambridge crew, and Alexander Lindsay, 60, uncle of the Oxford No 7.

The crews produced a neck-and-neck battle for the first two minutes although there had already been some wayward steering before both crews pushed far too wide at Fulham. Obholzer was flagging but the first serious clash occurred.

A more serious crash at the Mile broke the stretcher of the Oxford No 6, Tom Cadoux-Hudson, the Boat Race umpire who himself issued 132 warnings in 1997. Cambridge were now half a length ahead and, in spite of averaging three years older, at 46, the Light Blues went on to win one length ahead in 7min 45sec. The score stands at 2-2.

The Boat Race crews had a quieter day than their senior counterparts. Oxford had two outings, an early morning paddle finishing with brief starting practice, then a side-by-side paddle with Isis, practising the steering of the 4 1/2 miles.

Cambridge pitted themselves against their reserves, Goldie, in two brief rows. The first, from stake boats at Putney, saw the Light Blue boat finish a length ahead but in the second, at Chiswick, their margin was fractionally reduced to three-quarters of a length.

More will be revealed today when Mark Evans, this year's umpire, will perform separate rehearsals with the two crews.

LINKS

The 1999 Boat Race will be rowed on April 3 (3.30) and covered live on BBC1. Website: www.rowing.org.uk/BoatRace/. TODAY'S OUTINGS: Oxford, 8am and 10am. Cambridge, 9am and 11.15am.



Smith, a massive presence in the Cambridge boat, has changed positions this year and will be at No 7 rather than bow

Smith spurred to excel by additional responsibility

The lure of taking part in the most celebrated event in British rowing can entice even an Olympic champion back to his studies. Graham Smith, No 7 in the Cambridge boat this year, describes the Games, in which he competed in Atlanta, and the Boat Race as "different mountains to climb, but both extremely attractive challenges".

Smith, a member of the Cambridge crew that won for the sixth year in succession in 1998, enjoyed the most successful international career of any British teenager, collecting two gold medals and a silver in the world junior championships, something that not even Steve Redgrave achieved.

The opportunity to spend two years at Cambridge has also given the chance to compensate academically for his disappointment at only getting a 2.2 in his philosophy finals at London University in 1997.

He has found the task of combining studying and training far easier at Cambridge. At University College, London, he had to juggle scholastic commitments and looking after himself in a flat with the seven-days-a-week training required of him as a member of the national squad, based at Henley.

At Cambridge, lectures, libraries, the college and boat-

John Goodbody talks to a member of the Cambridge engine-room

House are easily reached by a short cycle ride. Smith says that he saves hours of precious time each week. "London," he recalls, "was just stress."

When, at the age of 22, he arrived at St Edmund's College in the autumn of 1997 to read for a two-year BA degree in social and political science, he was described by Robin Williams, the Cambridge coach, as "a man on a mission". "He immediately brought a determination that was good for the Boat Club," Williams said.

Smith appeared destined for success from the time he began rowing, aged 13, at Westminster, a school that has provided Oxford with two of their most esteemed former coaches, "Jumbo" Edwards and Dan Topolski.

Graham, whose father, Mike, was a Scotland rugby union international, describes

rowing as both an individual and team sport. "You have got to make yourself as good as you can. You have got to listen to what the coach is telling you as an individual, but you must also be concentrating on working with the crew as an entity," Smith said.

This year, he sees himself as having a greater responsibility in the eight because he is one of the senior members and so he has taken "every viable measure" to improve his ability. "I have to reach a standard in

physical performance and make others chase me," he added. He is 5lb lighter than in 1998 but fitter and stronger, being three to four seconds faster over 2,000 metres on the rowing machines, the equivalent of a length in a race.

He believes that having a female cox, Vian Sharif, this year, has altered the mood of the boat. She is minute, at 5ft and 6st 10lb, when compared to the other members of the crew. Smith, for example, is 6ft 4in and weighs in at over 14 stone. Sharif, 19, is without a doubt hugely accomplished, but her predecessor, Alastair Potts, was 26 and far more experienced.

"The approach has been different," Smith said. "You cannot shout at Vian because, understandably, she might break down and be very unhappy." The trick has been to get the best out of her, so that she can get the best out of the team.

Last year, Smith was at bow, a position he relished because it allowed him to feel the motion of the boat. "It is like being on the crest of a wave. The boat rises and falls. There is joy in the simple perfection of the movement. You feel this as the boat goes through the water."

Now he is just behind the stroke, a position in the engine-room where he often talks to the cox. "You are generating the rhythm of the boat and in an event as long as the Boat Race, you have to have a good rhythm."

"When the boat surges, it is you that is making it surge. Rowing is a competitive sport. Winning, and rowing well at the same time, is fantastic."

'I have to reach a performance standard and make others chase it'

Modahl tells Walker to bank on traumas ahead

DOUGIE WALKER was urged yesterday by Vicente Modahl not to give up the fight to clear his name if he is innocent. Walker was warned, however, that he would need a deep inner strength, an understanding bank manager and no little patience if he is to overturn his suspension and recover financial losses.

Diane Modahl, Vicente's wife, is still seeking compensation nearly five years after being sent home from the Commonwealth Games for failing a drugs test. It was on the day that she was due to defend her 900 metres title in Victoria, Canada, that she made front-page news by being withdrawn. She was reinstated 19 months into a four-year ban when the test was found to be unreliable.

While Modahl has been free to compete since March 1996, she and her husband are still tied by the chains of her initial conviction. Forced to sell their house, they have run up huge debts. Their bank account accumulated £5,700 in overdraft interest charges alone last year, according to Vicente.

The Modahls' action against the British Athletic Federation (BAF) remains unresolved. "By the time we

By David Powell
ATHLETICS CORRESPONDENT

finish the court case, our bill is going to be close to £1.5 million before damages," Vicente said. "With damages, it might be as high as £2 million."

"If you are innocent, and you know you are innocent, how much it costs is irrelevant because to clear your name is the most important single factor. The system is so flawed that innocent athletes will be found guilty because of incompetence and because the tests are not sophisticated enough."

Emotionally drained, the Modahls are angry that they

have received neither a settlement offer nor a public apology from the sport's authorities. "It had a major traumatic effect on our lives and still has in many ways," Vicente said.

The Modahl case was the single biggest contributing factor in the BAF going bankrupt. It cost both parties hundreds of thousands of pounds and, so long as the court action remains unresolved, the BAF's creditors cannot be paid. They include, ironically, Walker.

Even after being reinstated, it was a further 2½ years before Diane Modahl began to exercise the ghosts. In Kuala Lumpur last September, returning to the Commonwealth Games stage, she did not regain her title, but winning the bronze medal was just as important symbolically.

"Diane improved dramatically from being a traumatised person after she won that medal," Vicente said.

"After what happened to her, she did not want to continue at all. If you are innocent and branded a cheat in the way that Diane was, in such a public way, it is very difficult to continue because you do not know where you are going to find the energy from."

Diane Modahl: still trying to gain compensation

Answers from page 50

TRISKELION
(b) A line dividing a circle into three parts (cf. into four by a swastika). It appears on prehistoric earthenware vessels of the Late Bronze Age.

FLYSCHE
(b) Deposits of marine sandstones, shales, marls and clays produced during the uplift of the Alps by sedimentation, and later deformation of the materials eroded from the uplifted rocks.

KURTOSIS
(b) A measure in statistics of the "peakedness"

of the distribution of particle size. In the case of sediments, it relates to both sorting (standard deviation) and differences from a normal distribution (where a normal distribution would have a k value of 1). Phew.

PLACHUTTA THEME
(c) A theme in chess problems in which an initial sacrifice by white causes two defenders (R&K, Q&R, or Q&B) that can move onto the same square to hinder each other. Often the basis for three-move problems.

SOLUTION TO WINNING MOVE
1 Rb7 causes insupportable problems as 1... Qxb7 2 Qxf6+ and mates.

Marketing the magic

Making it

BBC2, 7.30pm (not Scotland)

This upbeat film about Sophie Dickinson, a young British graphic designer who went straight from college working on the British marketing of *A Bug's Life* is not quite as blatant a plug for the computer-generated animation film (from the Toy Story team) as other recent behind-the-scenes efforts about Hollywood blockbusters. The film seemed to have had its thunder stolen by the release of *Antz*, but Disney's marketing strategy was, as you might expect, much slicker and heavier, involving everything from soft toys to hamburger chain children's meals. Dickinson is also seen at work on campaigns for a Mel Gibson film and *Somme*, a First World War epic.

Playing the Field

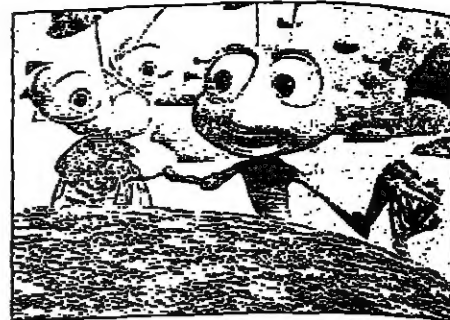
BBC1, 9.30pm

Sally Wainwright's script for the final episode of the female football saga is a minor miracle of compression. The various subplots are not brought to neat conclusion but left in various authentic stages of irresolution: you can easily imagine the characters moving on and would love to follow their stories. However, given the way that the central storyline ends, this seems an impossible dream. The acting has been impressive throughout, often first-rate, from the most sympathetic of the characters (Lesley Sharp as Theresa, Jo McInnes as Jo) to the least (Lee Ross as Ryan, Brigit Forsyth as his mother). Karen Meller's idea for the series (based on Pete Davies' book) has been taken forward in excellent fashion by all concerned: the football has always remained integral, even during the most lurid digressions.

Naked Secrets

ITV, 10pm

Exposé or exploitation, docusoap or stillation? Many viewers will be watching simply because this is about one of the first of London's (and Britain's) pole-dance/lap-dance clubs. Young women, wearing no more than their knickers and

Making it look like the marketing of the Disney film *A Bug's Life* (BBC2, 7.30pm)

high-heeled shoes, writhe around poles for the entertainment of male customers who pay hard cash to sit within inches of the dancers. Not much is said on the desirability of such establishments, some of which are set up away from the city centre in residential areas. The dancers choose to believe that they are not being exploited for are at least well paid for it.

Wild Tales

Channel 4, 8pm

Serengeti Jigsaw is hardly a new idea: as the narration has it, the Serengeti National Park is one of the most filmed and well documented in the world. But it also retains its secrets and the ability to fascinate both the wildlife professionals and the viewer. This exemplary film demonstrates, directly and entertainingly, that although the three keys to the park are "grass, wildebeest and lions", literally dozens of species, from ants to antelopes, contribute to the richness of the fauna, and thousands of plant forms are vital to the crater's place in the forefront of African wildlife research. Don't miss the myriad grasses revealed in one shot by a simple change of camera focus. Oh, and don't watch while having dinner either. Tony Patrick

RADIO CHOICE

Do Go On

Radio 4, 11pm

Griff Rhys Jones and Melanie Hudson star in this new comedy series in which they play, or, presenters of one of those radio shows in which various guests are wheeled on to plug books, plays, wacky posies and absurd points of view. The series gets off to a promising start with a programme on health, including an interview with an ageing and crotchety nanny who is unable to have children of her own "for medical reasons. I couldn't stand it if they grew up to be doctors." Jones and Hudson play good cop, bad cop, with Jones as Ainsley Elliot coming over all smarm and ignorance, while Hudson as the right-on Jude Prentice takes the "come off it" role. Graeme Garden also appears and the script is by the cast.

RADIO 1 (BBC)

6.30am Zoe Ball 9.00am Kevn Greening 12.00pm Jo Whiteley 2.00pm Mark Radcliffe 4.00pm Chris Moyles 5.45pm Newsbeat 6.00pm David Pearson 7.00pm The Alan Partridge Show 8.00pm Radio 1 Live in London: Lene Lovace and Peel. Live sets from the University of London and the Improv Theatre, featuring Ten Benson, Echo and the Bunnymen and P.J. Harvey featuring John Parish 12.00pm Andy Kershaw 2.00pm Dave Warren 4.00pm Scott Mills

RADIO 2 (BBC)

6.00am Sarah Kennedy 7.30am Wake Up to Wogan 9.30am Ken Bruce 12.00pm Jimmy Young 2.00pm Ed Stewart 5.00pm Johnnie Walker 7.00pm David Allen 8.00pm Paul Jones 9.00pm Take It Easy: California Cool (20) 9.30am At the Beach: Kenneth Williams, Sean Connery and Peel. Live sets from the University of London and the Improv Theatre, featuring Ten Benson, Echo and the Bunnymen and P.J. Harvey featuring John Parish 12.00pm Andy Kershaw 2.00pm Dave Warren 4.00pm Scott Mills

RADIO 5 LIVE (BBC)

5.00am Morning Reports 6.00am Breakfast 9.00am Brian Hayes 12.00pm The Midday News 1.00pm Ian Payne 4.00pm Drive 7.00pm News Extra 7.30pm On the Line: Investigating attempts to make the sport of endurance sale 8.00pm Inside Edge 9.00pm Hope 9.30pm Sportsnight 10.00pm Late Night Live 1.00am Up All Night

TALK RADIO

6.00am The Big Boys Breakfast 9.00am Scott Chisholm & Sally James 12.00pm Justice With Jacobs 1.00pm Anne Raeburn 4.00pm The Sports Zone 7.30pm One to One with Andy Gray 8.00pm Jackie Mason 10.00pm James Whale 1.00am Gordon Allroy

VIRGIN

6.30am Russ Williams 9.30am Mark Forster 1.00pm Nick Abbot 4.00pm Hamel Scott 6.45pm Pete and Geoff 10.00pm Gary Davies 1.00am Richard Allen 4.30pm Phil Kennedy

RADIO 3

6.00am On Air Penny Gore presents arts news and music, including a review of a new installation based on Alfred Hitchcock's film *Vertigo*. 9.00am Masterworks with Peter Dinklage, Schubert (Vienna symphonies, D779), Brahms (Violin Concerto in D major, Op. 77), Beethoven (Violin Sonata in G, Op. 30 No 3), Saint-Saëns (Introduction and Rondo Capriccioso, Op. 28). 10.30am Artists of the Week: Simon Rattle. 11.00am Sound Stories: Five Music Critics Berlioz. 12.00pm Composer of the Week: Reger. 1.00pm The Radio 3 Lunchtime Concert: Tasmin Little, violin, Martin Roscoe, piano, Dallas (Violin Sonata No 1); Beethoven (Violin Sonata in G, Op. 30 No 3); Saint-Saëns (Introduction and Rondo Capriccioso, Op. 28). 2.00pm The BBC Orchestra BBC Philharmonic under Ruman Gamba and Christopher Robinson. Howard Shaffer, piano, Judith Howarth, soprano, Choir of St John's, Clare, Gonville and Caius Colleges, Cambridge. 4.00pm Ensemble (1). 4.45pm Music Machine with Tommy Pearson. 5.00pm In Tune with Sean Rafferty. Music includes Ravel (Concerto for piano left hand) performed by Jean-Yves Thibaudet with the Montreal Symphony Orchestra under Charles Dutoit. 7.30pm Performance on 3: Athalia Handley's oratorio of three acts, composed by the University of Oxford. Lynne Dawson, soprano, Nancy Argentia, soprano.

RADIO 4

5.30am World News 5.35pm Shipping Forecast 5.40am Breakfast 5.45pm Prayer for the Day 5.47pm Farming Today Anna Hill presents rural news. 6.00pm Today with John Humphrys and James Naughtie 6.35pm (LW) Yesterday in Parliament Update on political developments. 9.00pm Melvyn Bragg: In Our Time Guests: John Melvyn Bragg to consider ideas and events which have influenced the present age. 9.30pm Automatic for the People Alan Dan discovers how a schoolgirl's singing became a symbol of survival (2/4). 9.45pm (FBI) Series: Patti Fone Shaw reads part four of Ann Wroe's book. 9.45pm (LW) Daily Service. 10.00pm Woman's Hour: Janet Murray presents including part four of *High Days, Holy Days*. 11.00pm Crossing Continues: Violence in French schools and a look round the new European Parliament building. With Emily Buchanan. 11.30pm My Uncle Freddie by Alex Ferguson. Comedy set in Tyndeside charting the relationship between a boy and his uncle. With Shaun Prendergast and Gareth Brown (3/6). 12.00pm (LW) News Headlines: Shipping Forecast. 12.00pm (FBI) News 12.04pm You and Yours Consumer news and investigations, presented by John Waite and Berley. 1.00pm The World at One. 1.30pm Open Country Richard Underhill tours the British countryside. 2.00pm The Archers Yesterday's edition (1). 2.15pm Afternoon Play: Pity about Kitty by Jimmie Chinn, starring Dora Bryan as all three characters implicated in an unlikely demise. 3.00pm Call You and Yours 0870 010 0444 Consumer advice programme, presented by Peter White. 3.28pm Radio 4 Appeal: Michael Barry speaks on behalf of the Immigration Advisory Service (1). 3.30pm Rigby's Red Herring: Graeme Rigby visits the Lollen Islands, where Susanne Lundberg regales him with fishermen's folk tales (3/4). 3.45pm This Scattered Isle: Anna Massey narrates part 64 of the history of Britain (1). 4.00pm News At Ten: Michael investigates the changing world of work. 4.30pm The Material World: Trevor Philips explores painterly dental treatments. 5.00pm PM 6.00pm Six O'Clock News. 6.30pm That Reminds Me: Barry Took looks back over a career in comedy (2/6). 7.00pm The Archers: The latest from Arbridge. 7.15pm Front Row Round-up of arts news, presented by John Wilson. 7.45pm High Days, Holy Days: Readings of works on an Easter theme. Broadcast earlier (1). 8.00pm What If? Christopher Andrew and guests, including Michael Portillo, imagine how world war could affect the United States (4/4). 8.30pm The Week in Westminster: Peter Rodolof of The Times takes a look behind the political scene. 9.00pm Leading Edge: Geoff Watts reports on scientific developments. 9.30pm Melvyn Bragg: In Our Time Broadcast earlier (1). 10.00pm The World Tonight with Robin Lush. 10.45pm Book at Bedtime: My Mother's House: Susan Ly Cole and read by Janet Suzman (1). 11.00pm Late Night on 4: Do Go On See Choice. 11.30pm Your Place or Mine? Preparations for a 1993 celebration in a Sicilian town to mark its links with baseball legend Joe DiMaggio (1). 12.00pm News 12.30am The Late Book: Age of Austerity: Peter Hennessy introduces Pearson Phillips' essay The New Look, describing the impact of Paris fashions on postwar Britain. 12.48pm Shipping Forecast 1.00am World Service

FREQUENCY GUIDE: RADIO 1, FM 97.5-99.8. RADIO 2, FM 88.0-90.2. RADIO 3, FM 90.2-92.4. RADIO 4, FM 92.4-94.6. LW 128. MW 720. RADIO 5 LIVE, MW 893, 908. WORLD SERVICE, MW 548, LW 193 (12.45-5.55am). Television and radio listings compiled by Perry Cleveland-Peck, Ian Hughes, Gillian Macey, Jane Gregory and Barry O'Keefe

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Kiss the Girls

Sky Box Office, starting every 15 mins

Fairytale - A True Story

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Gattaca

Sky Box Office, starting every 30 mins

Spiceworld The Movie

Moviemax 4 at 8.00pm

Absolute Power

Sky Premier 3 at 8.00pm

Anaconda

Moviemax 4 at 8.00pm

Beverly Hills Ninja

Moviemax 2 at 8.00pm

The Ghost & The Darkness

Sky Premier Widescreen at 8.00pm

One Eight Seven

Moviemax 3 at 9.00pm

The Jerky Boys

Moviemax Digital at 9.30pm

Scream

Moviemax 2 at 10.00pm

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FamFour at 8.00pm

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Marriage, the new entertainment experience

Hey, you! Yes, you! Wanna marry me? Whaddya mean, you don't even know me? That's the whole point: you get hitched to a stranger. It's a, like, retro thing: a spiritual return to the days when matchmakers brought strangers together. Half the world still operates this way. And it's gonna be the next big thing in Britain, too. Only instead of a professional go-between, you get a radio station or a TV show to act as mediator, just like the Birmingham radio station BRMB did in January when they brought together Carla Germaine and Greg Cordell, who met each other for the first time at their wedding ceremony. And instead of a dowry, the radio station offered alternative inducements — a car, a Caribbean holiday, a flat.

Think of it as traditional values in a modern setting. Marriage, new Labour-style.

Last night's *Two Strangers* and

a *Wedding* (ITV), which followed the selection and blind-date wedding of the happy couple, turned BRMB's marketing ploy into a real-life version of *The Truman Show* as BRMB's executives and DJs shaped the lives of these people for our entertainment. And the enthusiasm with which the single people of Birmingham threw themselves into this experiment, vying for a chance to be the bride and groom, shows how much need there is for such a service in today's society.

It could be television's saviour. Just as the people offering themselves in the lonely hearts columns of different newspapers and magazines reflect the tone and interests of those publications, so different TV programmes could each have a *Two Strangers* and a *Wedding* segment to bring together like-minded singles from among their regular viewers. Every show could benefit from *Newsnight* ("Well do

you take Carla to be your lawful wedded wife. Well do you? Come along, come along, Greg") all the way to *Delia Smith's How to Cook* ("The way to find out if a potential husband is really fresh is to immerse him in a pot of cold water — it must be unsalted — and see if he floats to the surface or just rests on the bottom of the pot").

For the bride's role it was soon down to a shortlist of just Carla and Jane. As Jane's father explained, "She says, 'Dad, I've been around the world twice and I've been out with many different fellas — Polish, German, French, you name it I've been with them.' 'Dad,' she says, 'and at the end of the day I can't pick the right one.' And if she can't pick the right one after all this time travelling round the world, then you've gotta say to yourself, well, you know, hopefully somebody else can do the job for her."

REVIEW



Joe Joseph

It makes you appreciate how authoritarian communism was tolerated for so long in Russia: it must have been a relief for many people to have someone else making all the important decisions in their life for them. But then Russell Grant swung the whole thing by saying that Carla's and Greg's astrological charts matched. Maybe Jane has now set off restlessly for yet one more lap

of the world to test-run those nationalities she overlooked on her first two circuits.

As for the wedding service itself, it was unusual not only in giving the Hyatt a name check but in including the novel opening line, "Can I ask you please to both stand. Would you like to pose now?" We saw some emotion or other flicker across Carla's face as she got her first glimpse of the man she would later be sharing a bed with: Was it just wedding day nerves? Or was she thinking that she had made a terrible mistake? Either way, a scriptwriter couldn't have hoped for more — a seed of doubt planted in our minds.

And then, suddenly, the whole thing stopped being such an amusing jape. The last five minutes of this documentary hit you like a hangover. Carla and Greg really had become Jim Carrey in *The Truman Show*, two people whose lives were being shaped purely for

the entertainment of radio and TV audiences. Pauline Collins's tongue-in-cheek narration began to sound a little creepy. It was the chill of reality you experience the morning after the night before. Lord only knows what Carla and Greg's real morning-after feeling was like. Well, the Lord and the ITV crew that has exclusive rights to film them. We will get to find out, too, in three weeks when the second half of this drama-documentary is broadcast.

I don't know how responsible any of us should feel if Carla and Greg's marriage ends in tears, but I do feel partly responsible for the bankruptcy last year of the Pierre Victoire restaurant chain, whose resurrection was documented in *Truancy* at the Top: Too Many Cooks (BBC2). Not only did I stop going there, I never went in the first place. I'm now grateful that on the one

occasion I tried to have lunch at the Edinburgh branch during the Festival a few years ago, there were no free tables, because I learnt last night that a long pipe emerging from a wall and finishing in mid-air just above the dining tables was the ventilation from the loos. The new owners have sorted this out, but it seems odd that nobody noticed this before. Maybe the diners assumed that the aroma was part of the authentic French bistro experience.

Hunting Venus (ITV) had a brilliant cast (Martin Clunes, a busy Neil Morrissey, Mark Williams, Jane Horrocks) performing a film-length drama that was amusingly, but also so preposterously plotted and creakily scripted that you had to assume it really was supposed to have the feel of a 1960s Cliff Richard movie, or of a very elongated episode of *The Monkees*.

- BBC1**
- 6.00am Business Breakfast (79081)
 - 7.00am BBC Breakfast News (91130)
 - 9.00am Kilroy (9394826)
 - 9.45am Style Challenge (8033246)
 - 10.10am The Vanessa Show (91843569)
 - 10.55am News: Weather (9339623)
 - 11.00am Change That (9316772)
 - 11.25am Can't Cook, Won't Cook (9326159)
 - 11.55am News: Weather (9184982)
 - 12.00am Call My Bluff (93449)
 - 12.30pm Wipeout (2056517)
 - 12.55am The Weather Show (911955284)
 - 1.00pm One O'Clock News (912307)
 - 1.40pm Neighbours: Kiki battles to save Joe's life (91654333)
 - 2.05pm Inside: Chief tries to discover how a nightclub psychic knows so much about a series of arson attacks (91432791)
 - 2.55pm Through the Keyhole (912406246)
 - 3.25pm Children's BBC: Pocket Dragon (9192655)
 - 3.35pm All New Popeye Show (4462994)
 - 3.55pm Rugrats (7358265)
 - 4.20pm Home Farm Trivia (5132642)
 - 4.35pm Goosebumps (7853975)
 - 5.00pm News: Weather (9339623)
 - 5.10pm Grand Hotel (2626371)
 - 5.35pm The 11 O'Clock Show (9145739)
 - 5.35pm Neighbours (912307)
 - 6.00pm Six O'Clock News: Weather (9136)
 - 6.30pm Regional News Magazine (98)
 - 7.00pm Watchdog with Anne Robinson: Consumer Investigation show (914913)
 - 7.30pm EndTimes: Peggy and Frank's wedding day arrives (9136555)
 - 8.10pm Harbour Lights: Mike keeps his team on their toes during a dull cold season by practising whale rescue techniques, while Kelly Blake slopes off to spend time with a new boyfriend (9117130)
 - 9.00pm Nine O'Clock News: Regional News: Weather (914994)

- BBC2**
- 7.00am Children's BBC Breakfast Show: Polka Dot Shorts 7.10 The Silver Brumby 7.30 Inch High Eye 7.55 The Bobs Marley 8.20 Buried Treasure 8.40 Blue Peter 9.10 Goobler and the Ghost Chasers 9.35 Student Bodies 10.00 Teletubbies 10.30 FILM: Blackbeard's Ghost 12.15pm Cartoons 12.30pm Working Lunch 1.00pm Wishing
 - 1.10pm The Leisure Hour (91137517)
 - 2.10pm Sporting Greats (8209265)
 - 2.40pm News: Weather (910517)
 - 2.45pm Match of the Day (91546449)
 - 3.25pm News: Weather (9105655)
 - 3.30pm The Village (91263555)
 - 3.55pm Kaye Advice show (2810246)
 - 4.25pm Ready, Steady, Cook! (917428197)
 - 4.55pm Esther (9108307)
 - 5.30pm Whose House? (95)
 - 6.00pm Electric Blue: The latest entertainment news (9138171)
 - 6.20pm The Simpsons: Marge is bitten by the gambling bug (91289159)
 - 6.45pm Star Trek: Deep Space Nine: An alien delegation forces Quark to play a deadly game (9134972)
 - 7.30pm **CHOICE** Making It: A graphic designer gets her first big break with a London company commissioned to promote a Bug's life (912)
 - 8.00pm 2 DIY 4 New series: The carpenter Rics Martin and the plumber Tony Evin take DIY novices through basic tasks in easy stages (918975)
 - 8.30pm Top Gear: James May and Julia Bradbury test-drive the Toyota Yaris (912410)
 - 9.00pm Red Dwarf: Pele the Sparrow is turned into a dinosaur (912536)

- HTV**
- 5.30am ITV Morning News (15371)
 - 6.00am GMTV (2237536)
 - 9.25pm Triha (91390807)
 - 10.30pm This Morning (914987975)
 - 12.15pm ITV News (917450159)
 - 12.30pm ITV Lunchtime News (912074913)
 - 12.55pm Shortland Street (9133791)
 - 1.30pm Home and Away: Choice harbours suspicions (91054517)
 - 1.55pm The Jerry Springer Show: Outrageous American talk show (91048875)
 - 2.40pm Wheel of Fortune (912497130)
 - 3.10pm ITV News Headlines (9105826)
 - 3.15pm ITV News (9104197)
 - 3.20pm CITV: Mopac's Shop (9185062)
 - 3.30pm The Adventures of Dawdie (959468)
 - 3.40pm The Sylvester and Tweety Mysteries (4458791)
 - 3.50pm Lavender Castle (953284)
 - 4.05pm Hey Arnold! (7411807)
 - 4.30pm Children's Ward (9)
 - 5.00pm Home and Away (91) (9157)
 - 5.30pm Leisure Guide Magazine covering the region's entertainment (9131)
 - 5.30pm WALESS: Crazy Creatures: A tarantula enthusiast (9131)
 - 5.55pm HTV Weather (422642)
 - 6.00pm ITV News (91)
 - 6.20pm HTV Crimeposters (42230)
 - 6.30pm ITV Evening News: Weather (914)
 - 7.00pm Emmerdale: Paddy plays peace-maker between the warring Dingles (913081)
 - 7.30pm WEST: We Can Work It Out with Judy Finnigan and the team (91)
 - 7.30pm WALESS: Wales This Week (91)
 - 8.00pm The Bill: Two witnesses to an arson attack withdraw their evidence (917710)
 - 9.00pm Every Woman Knows a Secret: On the run from the British police, Jess and Rob grow closer in their Italian hideout. Last in series (3/3) (914246)

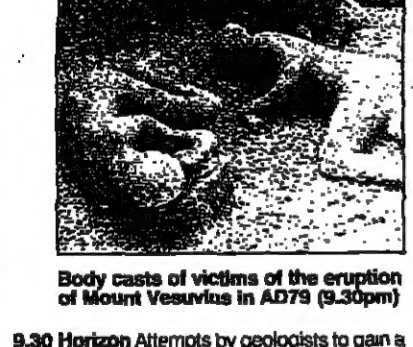
- CENTRAL**
- As HTV West except:
 - 12.20-12.30pm Central News: Weather (9178888)
 - 12.55pm Home and Away (2059604)
 - 1.25pm The Jerry Springer Show (4223420)
 - 2.10-2.40pm Echo Point (8296791)
 - 3.15-3.20pm Central News: Weather (9104197)
 - 5.30pm Shortland Street (91)
 - 6.00-6.30pm Central News at Six: Weather (91)
 - 11.20-11.30pm Central News: Weather (465555)
 - 11.30-12.35pm Wonderful You (230807)
 - 1.20pm Jenny (9151539)
 - 1.50pm Pop Down the Pub (4226579)
 - 2.15-3.10pm The Park (7612111)
 - 3.35pm The Making of Lock, Stock and Two Smoking Barrels (4427958)
 - 4.00pm Crime Joffinder '99 (7485444)
 - 5.20-5.30pm Asian Eye (9698802)

- CHANNEL 4**
- 5.35am Pink Panther (2174642)
 - 5.55pm Sesame Street (533975)
 - 7.00pm The Big Breakfast (24468)
 - 9.00pm Batman (1996) Adventure. Adam West and Burt Ward star. Directed by Leslie H. Martinson (910813)
 - 11.00pm Boy Meets World (917468)
 - 11.30pm Powerhouse (918197)
 - 12.00pm Sesame Street (918159)
 - 12.30pm Bewitched (91) (37371)
 - 1.00pm Pet Rescue (912755)
 - 1.30pm The Ocean World of John Stenhouse: Changes in the marine environment (91) (916548159)
 - 1.55pm Eight O'Clock Walk (1954) An innocent taxi driver is put on trial for the murder of an eight-year-old girl. Courtroom drama, starring Richard Attenborough. Directed by Lance Corbett (912199682)
 - 3.30pm Collectors' Lot (91)
 - 4.00pm Fifteen to One (91)
 - 4.30pm Countdown (917850642)
 - 4.55pm Ricki Lake (91805975)
 - 5.30pm Pet Rescue (9133)
 - 6.00pm Friends: Phoebe attracts the unwanted attention of a stalker (91) (46)
 - 6.30pm Hollywood: Sol fears for Gina's state of mind (91)
 - 7.00pm Channel 4 News: Weather (9127456)
 - 7.55pm Doves: A mother's hopes for her child's future (4/8) (9129213)

- CHANNEL 5**
- 6.00am 5 News and Sport Headline round-up (918197)
 - 7.00pm WorldWide Part 10. Building blunders and the future of the tower block (91) (2048513)
 - 7.30pm Milkshake! (2836371)
 - 7.35pm Dappledawn Farm (91); 5 News Update (4267284)
 - 8.00pm Alvin and the Chipmunks (91) (8047517)
 - 8.30pm Watchword (91); 5 News Update (804688)
 - 9.00pm Holiday Park: The Glamorous Granny contest fails to attract entries (91) (4901913)
 - 9.25pm Russell Grant's Postcards (91) (3478081)
 - 9.30pm The Oprah Winfrey Show (8067265)
 - 10.20pm Sunset Beach: Francesca agrees to Gregory's plan (91) (4450738)
 - 11.10pm Lovers (91) (3115804)
 - 12.00pm 5 News at Noon (91) (8040604)
 - 12.30pm Family Affairs: Benji gives in to peer pressure (91) (91639343)
 - 1.00pm The Bold and the Beautiful: Jasmine recognises the rapist (91) (2047284)
 - 1.30pm The Roseanne Show Part two: The bubbly comedian talks to fellow chat show host Oprah Winfrey (91); 5 News Update (2089684)
 - 2.00pm 100 Per Cent (2341401)
 - 2.30pm Good Afternoon: An hour of entertainment (854371)
 - 3.30pm The Command (1984) A Wild West doctor gets caught up in conflict between Indians and the US Cavalry. Western, starring Guy Madison and Joan Weldon. Directed by David Butler (91218159)
 - 5.20pm 5 News (9168913)
 - 5.25pm Russell Grant's Postcards: Swiss chocolate (59467284)
 - 5.30pm 100 Per Cent (91635081)
 - 6.00pm 5 News: Weather Round-up of the day's stories (91) (6335081)
 - 6.30pm Family Affairs: Clive faces humiliation (91) (326533)
 - 7.00pm Knight Rider: Michael poses as a security guard as part of a State Department mission to foil an assassination attempt at a political conference (2352517)
 - 7.30pm Nature of Oz: A pod of dolphins living happily in close proximity with people in the busy inlets and rivers of a big Australian port (91) (9122517)
 - 8.00pm The Peppercorn: Real and the New Radicals perform live (2361285)
 - 8.30pm Viva Espana: While the youngsters have a ball, experts Mamon and Derek discover that their Costa del Sol retirement dream home is not going to get planning permission (2/8) (2340772)
 - 9.00pm The (91) (91955) A scientist uncovers evidence suggesting that aliens are plotting to take over the planet. Sci-fi thriller, with Scott Patterson, Clare Carey, Dustin Vong and Tony Todd. Directed by Charles Grant Craig, Patrick Gilmore (91); 5 News Update (2344536)
 - 10.40pm Bring Me the Head of the Heed of Life: Entertainment Comedy quiz (4855823)
 - 11.15pm Red Shoe Diaries: Erotic drama, starring Matt LeBlanc (147976)
 - 11.50pm Live and Dangerous: Through-the-night sports magazine (9120404)
 - 5.30am 100 Per Cent (91612647)



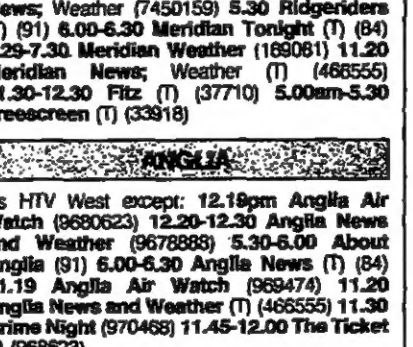
Geraldine (Lorraine Ashbourne) has to face up to the truth (9.30pm)



Body casts of victims of the eruption of Mount Vesuvius in AD79 (9.30pm)



The girls at the Secrets club prepare to go on stage (10pm)



A leopard of the Serengeti National Park in Tanzania (9pm)

- CHOICE**
- 9.30pm **CHOICE** Playing the Field: The series draws to a close with Geraldine finally facing up to the truth about her father (9108062)
 - 10.20pm They Think It's All Over: Light-hearted sports quiz. Last in series (91) (9141815)
 - 10.55pm Merton and Malcolm: Merton passes away. Last in series (91) (9122333)
 - 11.20pm The Word on the Street: Families caring for sick relatives (5/7) (194362)
 - 11.35pm Flight of the Intruder (1991) William Daloe and Danny Glover star in this Vietnam War drama. Directed by John Milus (9148178)
 - 12.55pm News: Weather (9154531)
 - 1.30pm BBC News 24 (9154531)

- WALESS**
- 10.20-10.55pm High Hopes (314915)
 - 12.55am-1.30am News (9154531)

- CHOICE WEST: Naked Secrets** A revealing insight into a Hammersmith strip club (91) (7333)
 - 10.00pm WALESS: In the Company of Strangers: Mairéad takes a terrible risk (3/3) (7333)
 - 11.00pm ITV Nightly News: Weather (9171826)
 - 11.20pm HTV News and Weather (9146555)
 - 11.30pm WEST: A Trip in the Cosmic Buggy: The pub and club scene (918178)
 - 11.30pm WALESS: We Can Work It Out Shopping on the Internet (918178)
 - 12.00pm WEST: Public Morals: Confiscated money goes missing (918043)
 - 12.00pm WALESS: Tales from the Darkside: Freddie Duke stars (88043)
 - 12.30pm The Jerry Springer Show (960844)
 - 1.15pm Trainposters: Sydney's Mardi Gras celebrations (960844)
 - 2.10pm Pop Down the Pub (91815314)
 - 2.40pm Box Office Announcements (4475227)
 - 3.05pm Cybernet Computer news (84830227)
 - 3.35pm Merton, She Wrote (2236374)
 - 4.25pm Coach (9121109)
 - 4.50pm TV Nightscreen (3741956)

- ANGELIA**
- As HTV West except: 12.15pm Anglia Air Watch (9690523)
 - 12.20-12.30pm Anglia News: Weather (917450159)
 - 1.30pm HTV News and Weather (9146555)
 - 1.30pm Anglia Air Watch (969474)
 - 11.20pm Anglia News and Weather (9146555)
 - 11.30pm Crime Night (970468)
 - 11.45-12.00pm The Ticket (9186823)

For further listings see Saturday's Vision

- SKY ONE**
- 7.00pm Ann Duka (51336)
 - 7.30pm Jimmy Kimmel (9371)
 - 8.00pm The Tonight Show (9371)
 - 8.30pm The Tonight Show (9371)
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With the early-morning sunshine glistening off the Thames, the Oxford Boat Race crew set out on the first of their two outings, an early morning paddle finishing with brief starting practice, yesterday. Reports, page 54. Photograph: Tom Hevizi

By DAVID POWELL, ATHLETICS CORRESPONDENT



Modahl lesson, page 54

Moldova.....	0
Northern Ireland.....	0

**FROM GEORGE CAULKIN
IN CHISINAU**

GROUP THREE

	P	W	D	L	F	A	Pts
Turkey.....	4	3	0	1	7	3	9
Germany.....	3	2	0	1	6	2	6
Finland.....	3	2	0	1	6	4	6
N Ireland.....	5	1	2	2	3	8	5
Moldova.....	5	0	2	3	5	10	2

Does not include Germany v Finland

"We battle on, of course we do," McMenemy said, pointing to a long throw-in that almost found its way to goal without intervention as proof of his side's imaginary dominance. Laughable. There

Steve Robinson will long remember it, however, if not always for the right reasons. The Bournemouth forward was making his full international debut, as McMenemy's sole change from the defeat against

Moldova: it is now.

MOLDOVA (4-4-3) S. Dinov (Construc-toru) — O. Pleticiu (Zimbru Chisinau); S. Stroeescu (Fotbal Tractor), A. Stanculescu (Sportul Muzical), I. Dinescu (Zimbru Chisinau); G. G. Stanistat, Onopri Onopricanovici; V. V. Vasilev (Dinamo Sertii Tra-silav); S. Eguzeanu (Zimbru Chisinau); R. Rebelea (Zimbru Chisinau); A. Giacom (Tractor Zaporozhye); — S. Clescienco (Zimbru Chisinau); A. Saherov (Onpro Onpro-petrovsk).

NORTHERN IRELAND (4-5-11) N. Taylor (F.C. Cliftonville Dundee United); J. McArthur; A. Hughes, Newcastle United. £21. Mr. Williams (Cheshire); S. Morrow (Queens Park Rangers); K. Horlock (Manchester City); — K. Gillespie (Blackburn Rovers); S. Lonsome (West Ham United); N. Lennon (Luton City); S. Robinson (Burnley); J. McGovern (Birmingham); — Dowie (Queens Park Rangers).

Romania: S. Trivunovic (Cepoi)

WISDEN
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1999

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IAN AUSTIN
(Lancashire and England)
DARREN GOUGH
(Yorkshire and England)
MUTHIA MURALITHARAN
(Sri Lanka)
ARJUNA RANATUNGA
(Sri Lanka)
JONTY RHODES
(Natal and South Africa)

motorised roller; a sit-down strike by parents protesting at the omission of their son from a school match and a naked woman riding around the outfield on a quad bike. Engel's eye for the bizarre has added to the enduring appeal of the publication without detracting from its authority.

No 1680

- | | |
|--|----------------------------------|
| ACROSS | DOWN |
| 1 Scot. national dish (6) | 1 A toast; well-being (6) |
| 4 Commie crime upset (6) | 2 Attractive but flimsy (8) |
| 9 Point of perfection (4) | 3 Oscillate (5) |
| 9 Offer, burn as sacrifice (8) | 5 Cold damage to extremities (9) |
| 10 Shrewish woman (9) | 6 Brio (4) |
| 13 Bounty captain (5) | 7 Soak (6) |
| 16 Lustre-paradise beauty (5) | 11 Goddess of Love (9) |
| 16 Extra card in pack (5) | 12 Heraldic, sky, blue (5) |
| 18 Without single answer, definite conclusion (4-5) | 14 Unfit to eat (8) |
| 21 US President, killed; <i>gad. rifle</i> (anag.) (8) | 16 With rough, sharp edges (6) |
| 22 Competent (4) | 17 Stick (to) (6) |
| 23 Meal; a mess, if dog's (6) | 19 Lowest point (5) |
| 24 Look up adoringly to (6) | 20 Grain husks (4) |

- SOLUTION TO NO 1679**
ACROSS: 3 Pal 8 Baize 9 Inertia 10 Drunken 11 Ached
12 Artist 14 Meddle 15 Tussle 17 Becalm 20 Mirth
21 Lockjaw 24 Tumbler 25 Rural 26 All
DOWN: 1 Abed 2 Piquet 3 Perk 4 Liana 5 Legalese
6 Eched 7 Daydream 12 Automata 13 Self-help
16 Scrimp 18 Abjure 19 Ultra 22 Curl 23 Weld

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